Edward Earle of CLARENDON, *Lord High* CHANCELLOR *of England and Chancellor of the University of Oxford. Anº Dñi 1667.*

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THE HISTORY OF THE REBELLION AND *CIVIL WARS* IN ENGLAND,

Begun in the Year 1641.

With the precedent Paſſages, and Actions, that contributed thereunto, and the happy End and Concluſion thereof by the KING's bleſſed RESTORATION, and RETURN upon the 29th of *May*, in the Year 1660.

Written by the Right Honourable

EDWARD Earl of CLARENDON,

Late Lord High Chancellour of *England*, Privy Counſellour in the Reigns of King CHARLES the Firſt and the Second.

Κτῆμα ἐς ἀεί. *Thucyd.*

Ne quid Falſi dicere audeat, ne quid Veri non audeat. Cicero.

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THE PREFACE.

AT *length comes into the World*, The firſt Volume of the Hiſtory of the Rebellion, and Civil Wars in England, begun in the Year 1641, with the precedent Paſſages and Actions, that contributed thereunto, and the Happy End and Concluſion thereof, by the King's bleſſed Reſtauration, and Return, upon the 29th of May in the Year 1660; *Written by* Edward Earl of Clarendon, *once Lord High Chancellour of* England, *and Chancellour of the Famous Univerſity of* Oxford. *The firſt of theſe great Dignities King* Charles *the ſecond had conferr'd on him, whilſt he was yet in Baniſhment with him; which he held, after the Reſtauration, above ſeven Years, with the Univerſal Approbation of the whole Kingdom, and the General Applauſe of all good Men for his Juſtice, Integrity, ſound Judgment, and Eminent ſufficiency in the diſcharge of that Office; a Praiſe which none of his Enemies ever denied him, in any Time: The other he received from the Choice of the Univerſity; who, upon the Vacancy of that Place, by the death of the Marquis of* Hertford, *then Duke of* Somerſet, *judged they could not better manifeſt their ſteddineſs in the Cauſe, for which, they had ſuffer'd, and their Reſolutions of adhering to their old Principles, in ſupport of the Church of* England, *and the Ancient Monarchical Government of this Kingdom, than in chooſing to place the Protection of their Intereſt in both, under the care of one, who had ſo early diſtinguiſhed himſelf, even from the firſt Approaches of the Civil War, in aſſerting and maintaining the diſtreſſed Rights of the Church and Crown.*

This Hiſtory was firſt begun by the expreſs Command of King Charles *the firſt; who having a deſire, that an account of the Calamities, God was pleaſed to inflict on the Unhappy part of his Reign, ſhould be reported to Poſterity by ſome worthy, honeſt, and knowing Man, thought he could not appoint any one more adorn'd with ſuch Qualifications, than this Author.*

It is a difficult Province to write the Hiſtory of the Civil Wars of a great and powerful Nation, where the King was engaged with one Part of his Subjects againſt the other, and both ſides were ſufficiently inflamed: And the Neceſſity of ſpeaking the Truth of ſeveral Great Men, that were engaged in the Quarrel on either ſide, who may ſtill have very conſiderable Relations, deſcended from them, now alive, makes the Task Invidious, as well as Difficult.

We are not ignorant that there are Accounts, contained in this following Hiſtory, of ſome Eminent Perſons in thoſe times, that do not agree with the

relations we have met with of the ſame Perſons, publiſhed in other Authors. But, beſides that they, who put forth this Hiſtory, dare not take upon them to make any Alteration in a work of this kind, ſolemnly left with them to be publiſhed, when ever it ſhould be publiſhed, as it was delivered to them; they cannot but think the world will generally be of opinion, that others may as likely have been miſtaken in the grounds, and informations they have gone upon, as our Author; who will be eſteem'd to have had opportunities, equal at leaſt with any others, of knowing the truth; and, by the candor, and impartiality of what he relates, may be believed not to have made any wilful miſtakes.

However, all things of this Nature muſt be ſubmitted, as this is, with great deference to the judgment of the equal Reader; who will meet, in his progreſs through this work, with many Paſſages, that he will judge may diſoblige the Poſterity of even well-meaning men in thoſe days; much more than of ſuch as were crafty, cunning, and wicked enough to deſign the miſchiefs that enſued: But he ſhall meet with none of Malice, nor any but ſuch as the Author, upon his beſt information, took to be impartially true. He could not be ignorant of the Rules of a good Hiſtorian (which, Cicero *ſays* are ſuch foundations, that they are known to every body) That he ſhould Not dare to ſpeak any Falſehood; and ſhould dare to ſpeak any Truth. *And We doubt not, but through the whole Progreſs of this Hiſtory, he will be found to have given no occaſion of ſuſpecting his writings* guilty of partial favour, or unjuſt enmity; *and we hope, that the repreſenting the Truth, without any mixture of private Paſſion or Animoſity, will be ſo far from giving offence to any Ingenuous Man of this time, that it will be received rather as an Inſtruction to the preſent Age, than a Reproach upon the laſt.*

Moreover the Tenderneſs that might ſeem due, out of Charity, good Manners and good Nature, to our Country Men, our Neighbours, or our Relations, hath been indulged a long ſpace of time; and might poſſibly be abuſed, if it ſhould not give way, at laſt, to the uſefulneſs of making this work publick, in an Age, when ſo many Memoirs, Narratives, and pieces of Hiſtory come out, as it were on purpoſe to juſtify the taking up Arms againſt that King, and to blacken, revile, and ridicule the ſacred Majeſty of an Anointed head in diſtreſs; and when ſo much of the Senſe of Religion to God, and of Allegiance and Duty to the Crown, is ſo defaced, that it is already, within little more than fifty Years ſince the Murther committed on that Pious Prince, by ſome Men made a Myſtery to judge, on whoſe ſide was the Right, and on which the Rebellion is to be charged,

We hope therefore it will be judged neceſſary as well as uſeful, that an impartial Account of the moſt material Paſſages of thoſe unhappy times ſhould at laſt come out; and that We ſhall have the general Approbation, for having contributed thus far to Awaken Men to that Honeſty, Juſtice, Loyalty, and Piety, which formerly Engliſh Men have been valuable for, and without which it is impoſſible any Government, Diſcipline, or Authority can be long maintain'd.

There is no doubt, but this good King had ſome Infirmities, and Imperfections; and might thereby be miſled into ſome miſtakes in Government, which the Nation, in Parliament repreſented, might have reformed by moderate and peaceful Counſels. But the Reformation loſt its Name, and its Nature too, when ſo many Acts, paſſed by him in Parliament, that did reſtrain the Prerogative of the Crown from doing the Miſchiefs it had been taxed with, had not the effect they ought to have met with, of reſtraining the People too from farther demands; and when the inordinate Ambition, Anger, and Revenge of ſome of the great Leaders could not be limited within any Bounds, till they had involved the Nation in Blood, deſtroyed many Thouſands of their own Country Men, and fellow Citizens, and brought at laſt their own Soveraign to loſe his Head on a Scaffold, under a pretended form of an High Court of Juſtice, unpreſidented from the Beginning of the World; and, to finiſh their work, had overthrown all the Laws of their own Country, in the defence of which, they would have had it thought, they had been obliged to draw their Swords.

Without queſtion, every body, that ſhall duly Conſider the whole Account of theſe Tranſactions, will be able to impute miſtakes, miſcarriages, and faults

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enough to both ſides : And we ſhall leave them to their own ſedate and compoſed Reflexions. But We cannot omit making this one Obſervation, that where any King by ill Judgment, or ill Fortune, of his own, or thoſe entruſted by him in the chief adminiſtration of his Government, happens to fall into an Intereſt contrary to that of his People, and will purſue that miſtake, that Prince muſt have terrible conflicts in the courſe of his Reign, which way ſoever the Controverſy ends : On the other hand, that People, who, tho' invaded and oppreſſed in their juſt Rights and Liberties, ſhall not reſt ſatisfied with reaſonable reparations and ſecurities, but, having got power into their hands, will make unjuſtifiable Uſe of it, to the utter Subverſion of that Government they are bound in Duty and Allegiance to ſupport, do but at laſt make Rods for their own Backs, and very often bring upon themſelves, from other hands, a more ſevere Bondage than that they had ſhook off.

To demonſtrate this General Obſervation, let it be conſider'd in Particular, what was the Advantage this poor Nation gain'd from all the Victories obtain'd over King Charles *in the Field, and, afterwards, in the impriſoning, and proſecuting him to death : What amends did it make for the Infringement and Prejudice, they complain'd of, in their Rights and Liberties, to ſet up the Protector* Cromwell, *who, under a thouſand Artifices and Cruelties, intended no other Reformation, but, inſtead of Whips, to chaſtiſe the poor People with Scorpions; and, inſtead of their Idol Common-wealth, which ſome had vainly imagined to themſelves, to make himſelf that very hated thing, a King, which had been ſo abominable in his own ſight? And after him, what did all the other ſeveral ſorts of Government, ſet up ſometimes to gratify the Ambition of one Party, and ſometimes of another, end in, but ſo many ſeveral ways of Oppreſſion; which after many Years ſpent in exhauſting the Blood and Treaſure of their Country, at length made way for the happy Reſtauration of the Son, and Family of that King (whom they had ſo barbarouſly brought to an untimely end) with the utmoſt ſcorn, and deriſion of all that had pretended to Rule in his ſtead.*

Here We might deſcend into Particulars, to make out the other part of our Obſervation, by giving Inſtances, how ſome of our own Kings have, unhappily, been led into very dangerous miſtakes in their Government; and how many Years have paſſed almoſt in one perpetual Strife, and unfortunate contention between the Prince and the People, in Points of the higheſt conſequence; and eſpecially thoſe, which have brought the Prince, ſometimes, under the diſadvantageous ſuſpicion of being inclined to the love of Arbitrary Power, and favouring the Popiſh Religion; than which the moſt mortal Enemys to the Crown of England *cannot poſſibly contrive, or wiſh, more miſerable circumſtances for it to be involved in. But We are rather deſirous to draw a Veil over all the Calamities, that have proceeded from this Cauſe; as well becauſe the impreſſions thoſe miſtakes have made, and the marks they have left behind them, will not eaſily be worn out; as that it might look like inſulting over Their misfortunes, who have been the Chief Loſers by them; which we have, in no kind, the Inclination, or the Heart to do : Neither would we be thought to give Countenance, by what We write, to the opinions of thoſe, who would Juſtify the riſing up in Armes of Subjects, to do themſelves Right in any Controverſy between them and their King.*

Non hæc in fœdera——

The Nature of our excellent Government hath provided, in the Conſtitution of it, other remedies, in a Parliamentary way; wherein both the Prerogative of the Crown, and the Rights of the People may be better ſecured : And beſides, we know to whom Vengeance peculiarly belongs, and that he who challenges that power to Himſelf, will not ſuffer it to be communicated to any other.

But We ſhould think our ſelves very fortunate, if, in the Reflections we have been making on this Subject, We have repreſented the truth, on both ſides, with that fairneſs and Impartiality, in the perplex'd condition of our own affairs, that all Princes may ſee and judge, that it can never turn to their advantage, to be in an Intereſt contrary to that of their People, nor to give their Subjects unreaſonable Provocations. For (as in other Cauſes, where

the Laws both of God and Man are too often broken, tho' very ſtrict and poſitive, ſo in this point too) the People may not always be reſtrained from attempting by force to do themſelvss Right, tho' they Ought not.

And we hope no leſs, that the People will be convinced, that it were wiſer, and better for them, to obtain the redreſs of their grievances by ſuch ways , as the ancient Laws of this Kingdom have provided : And that the Conſtitution of King, Lords, and Commons, is the happieſt Compoſition of Government in the world; and ſo ſuited to the Nature of Engliſh men generally, that tho' it be expelled for a time, yet it will return.

We would therefore heartily wiſh both for Prince and People, if either of them ſhould be guilty of any irregular Deviations from their own Channels, that they who are injured would content themſelves with gentle Applications, and moderate Remedies, leſt the laſt error be worſe than the firſt : And above all, that whoſoever may have a thought of Ruling in this Land, may be throughly convinced in his own judgment, that it is a Crown of Briers and Thorns, that muſt be ſet on his head, without he can ſatisfy all reaſonable Men, that it is his fixed Principle and Reſolution, inviolably to defend our Religion, and preſerve our Laws.

Upon the whole matter, We have often wonder'd, and reſt ſtill amazed, that any Prince ſhould care to govern a People againſt their Nature, their Inclinations, and their Laws. What Glory can it be to a Prince of a great Spirit to ſubdue, and break the hearts of his own Subjects, with whom he ſhould live properly as a Shepherd with his Flock ? If two Lovers, who ſhould paſs their time in renewing, repeating, and returning all the Offices of Friendſhip, kindneſs, tenderneſs, and love, were, inſtead of that, unluckily contriving always to croſs, oppoſe, and torment one another, what could be the effect of ſuch a Converſation, but Vexation and Anguiſh in the beginning, a ſhort lived Correſpondence, and Hatred and Contempt in the Concluſion?

Our Conſtitution is the main Point ever to be regarded, which, God be praiſed, hath been preſerved through ſo many Ages. For tho' there have been ſome Men often found, and of great parts too, who for their private advantages are aiding, ſometimes the Monarch, and ſometimes the Party that would be a Common wealth, under ſpecious pretences for the publick Good, to exceed the Limits the Conſtitution hath preſcribed in this Country ; yet the Nation ſtill finds, in all Ages, ſome truly publick Spirits, that preſerve it from being long impoſed upon. There is a craft and a perpetual ſubtilty, that Men of private intereſt muſt work with to ſupport their own deſigns : But the true Intereſt of the Kingdom is the plaineſt thing in the world : It is what every Body in England *finds and feels, and knows to be Right, and they are not long a finding it neither. This is that Intereſt, that is ſupported* Non tam fama, quam ſua vi ; *it's own weight ſtill keeps it ſteddy againſt all the Storms, that can be brought to beat upon it, either from the Ignorance of Strangers to our Conſtitution, or the Violence of any, that project to themſelves wild Notions of appealing to the People out of Parliament (a Parliament ſitting) as it were to a fourth Eſtate of the Realm ; and calling upon them to come and take their ſhare in the direction of the publick, and moſt important Conſultations. This We conceive to be another way of undermining the ancient and true Conſtitution , but not like to be more effectual than ſome others , that have been tried before : ſince We have the experience that no violence, nor almoſt ruin, hath, hitherto, hinder'd it from ſettling again upon it's old foundation.*

There hath been within the compaſs of few years, much Talk, and, God knows, too many ill Effects too, of Factions in this Kingdom ; and We have lived , in our days, to ſee the two great Parties, of late known by the Names of Whig *and* Tory, *directly change their ground ; and thoſe, who were formerly the Anti-Courtiers, become as pliant and obſequious , as ever They were , who had been the moſt found fault with on that ſcore. But We are humbly of opinion, that , at this time of day , neither of thoſe Parties have the Game in their hands , as they have formerly perhaps fancied to themſelves, But they , who ſhall be ſo honeſt , and ſo*

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wiſe, conſtantly to preſer the true Intereſt of England *to that of any other Country or People, preſerve the Religion and the Laws, protect and promote the Trade of the Nation, thriftily and providently adminiſter the publick Treaſure, and ſtudy to maintain the Soveraignty of our Seas, ſo naturally, ſo anciently, and ſo juſtly the true defence of this Kingdom; that Body, whomſoever it ſhall be compoſed of, ſhall have the Weight of* England *on it's ſide; and if there can be any of another frame, they muſt, in the end, prove ſo many miſerable rotten Reeds.*

Well may other Princes, and States, whoſe Situation requires it for their own Security, find it their Intereſt, for the preſervation of their Credit and Reputation amongſt their Neighbours, to keep conſtantly in pay great Numbers of Land Forces; in which they are ſtill vying one with the other, and boaſting who can raiſe his Thouſands, and who his ten Thouſands: but they will be found but young States-men for our Government, who can think it adviſeable, that the Strength of this Iſland ſhould be meaſured by Proportions ſo unſuitable to it's true Glory, and Greatneſs. As well might David *have thought it requiſite, when he was to encounter the great Giant of the* Philiſtines, *that He likewiſe muſt have had a Staff to his Spear like a Weavers Beam. But that* Man after God's own heart *thought it more expedient to his advantage over the Enemy, he was to contend with, to come againſt him with Armes that he had tried, and that he could weild. When* Saul *arm'd him with his own Armour,* and put an Helmet of Braſs on his head, and arm'd him with a Coat of Mail, *David himſelf ſays,* He could not go with theſe, for he had not proved them. *Which makes us a little reflect on the circumſtances of our own Nation, That, whereas the Fleet of* England *hath been renown'd, through ſo many Ages, for the honour and ſecurity of this Kingdom, in theſe latter days, by an unaccountable improvidence, our care has been more induſtriouſly applied to the raiſing great Numbers of Land Forces, than in maintaining, and ſupporting the glorious antient Bulwarks of our Country; and when We have to do with an Enemy, whom We ſo far excel in Strength at Sea, that, with a little more than ordinary application, We might hope to reſtrain his exorbitant power, by our Naval Expeditions, We have imployed our greateſt induſtry, and a vaſt Expence, to attack him by Land in that part, where, by the ſtrength of his numerous Garriſons, he muſt be, for many years at leaſt, invulnerable.*

But it is to be hoped the great Allies themſelves, to whom, We doubt not, the Engliſh Nation wiſhes all happineſs and proſperity, as being bound up with them in the ſame Intereſt, will at laſt be ſenſible, that this Kingdom cannot be uſeful to the Common Cauſe in any other way, ſo much as at Sea. *The Situation of this Country adapts it for Advantages by* Sea: *The Trade of it enables it to go on with a War by* Sea: *And neither of them can long bear a great Expence of a War in a Forreign Land: The experience of former Succeſſes at* Sea *makes the Nation ever fond of imploying it's Vigour* there: *and the prpeetual jealouſy that, ſome time or other, Endeavours may be uſed, by the encreaſe of Land Forces to advance another Greatneſs, and another Intereſt, will fix the genius of the Nation ſtill to depend on it's Greatneſs; and it's Security by* Sea.

Suadere Principi quod oporteat, magni laboris; aſſentatio erga Principem quemcunque ſine affectu peragitur, *was a ſaying of* Tacitus, *and one of thoſe that is perpetually verified. For We ſee, in all times, how Compliance and Flattery gets the better of honeſty, and plain dealing. All Men indeed love beſt thoſe that diſpute not with them; a misfortune, whilſt it is amongſt private Perſons, that is not ſo much taken notice of; but it becomes remarkable, and grows a publick Calamity, when this uncomely obſequiouſneſs is practiced towards great Princes, who are apt to miſtake it for Duty, and to preſer it before ſuch Advice as is really good for their Service; at leaſt till the folly, and vanity of ſuch proceedings comes to be ſeen through; and then the reward of their unſeaſonable Courtſhip frequently overtakes the miſerable Authors, tho' the diſcovery come too late to preſerve from ruin the Maſter, who hath been deluded.*

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An Eminent Poet of our own Nation, calls this Flattery the food of Fools; and yet it is a plant ſo guarded and fenced about, ſo cheriſhed and preſerved in all Courts, that it never fails of bringing forth much wretched fruit; and will ever do ſo, till God Almighty ſhall ſend ſuch a diſcerning Spirit into the hearts of Princes, as may enable them to diſtinguiſh between thoſe, that ſerve to obtain their own ends, and thoſe, who have only in their View the true Intereſt, and Honour of their Maſters; and to puniſh, inſtead of encouraging, thoſe bold Corrupters of all right Judgment, Juſtice, Honeſty, and Truth.

If at any time it might be hoped this dangerous generation of Men ſhould be diſcountenanced, one might be allowed to look for it in an Age, when a Revolution hath been thought neceſſary to make a Reformation: For where the Foundations of the Earth were taken to be out of Courſe, more ſteddineſs, a ſtricter Virtue, and a more unblamable Adminiſtration will be expected to come in the Room of it.

If Princes would bear it, it would be an Advantage to Them, as well as Happineſs to their Subjects, to hear plain, and bold Truths, when delivered with Duty and Decency and Privacy, from their faithful Servants, in their own life time; whilſt they might yet redreſs, and correct any miſtakes of their Judgment, or Will. But becauſe they generally defend themſelves from thoſe Approaches by their Greatneſs, and the Awe they uſually ſtrike on thoſe that come near them, the next beſt way to incline them to reflect duly upon themſelves, is to get them to read the Memorials of Times paſt, Where They will ſee how thoſe, who have once govern'd the World, are treated, when they are dead and gone; and that it is the Priviledge, and Practice of all preſent Ages, to ſpeak without reſtraint of thoſe that are paſt: As, We may be confident, the next that comes after this We live in, will not forget to put their Stamp, and their Cenſure, on what they ſhall judge good, or bad, in any part of it. And this truth will be allowed in all times, that a great King, who is known to govern in his own Perſon, who is not managed by his Miniſters, but does Himſelf give the direction, the life, and determination to all his Commands, as he ought to have the Glory, and the Merit of his Conduct and Skill, brought to his own Account without a Rival, ſo he will have the misfortune of having the errors of his Reign, if any there be, imputed likewiſe to Himſelf.

We have been led, from one ſtep to another, farther than the ſcope of a Preface to this Hiſtory might properly have drawn Us, were it not that the obſervation of the miſcarriages in former times, continued down by degrees, as we conceive, from the like miſtake, and the like root of animoſity and diſcontent had engaged us to make ſome remarks on the moſt eminent of them, and to lay them together in one view, for every Man's calm Judgment and Animadverſion, as the beſt means, in our opinion, to prevent any ſuch for the future. Which makes Us hope the Reader will not be offended with ſome Excurſions, upon publiſhing ſuch a Work, that hath ſo much of Information and Inſtruction in it, that it muſt furniſh to every one great variety of Reflections; and, amongſt others, the obſervation of this particular, and almoſt continual Misfortune to all Princes, who are apt to think that, out of the great Numbers of their Subjects, and the Crowd of their Courtiers and Flatterers, they can never want a ſupply of juſt and faithful Servants; which makes them ſo little value and ſo often throw away their beſt and ableſt Miniſters; whereas there is in truth nothing ſo difficult for a Prince, as to find a good, honeſt, juſt, well temper'd, and impartial Servant, and almoſt impoſſible to preſerve him long. For whoſoever comes to the Yoke of true painful drudgery in his Maſters Service, from that moment creates to himſelf ſo many induſtrious Enemies, as he cannot gratify in all their ſeveral wild pretenſions, to diſplace and deſtroy him. So that ſuch a Man's Station muſt be extreme ſlippery, and his favour oftentimes ſhort lived, whoſe whole time being taken up in promoting the ſolid greatneſs of his Maſter, and the good of his Country, he cannot have leiſure to take care of Himſelf. For whilſt he is watching the Enemies of the State, and laying Foun-

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dations for the happineſs of future Times, as well as for the ſecurity of the preſent, and looking after all the Parts of the Adminiſtration; that the Religion of the Land may be reverenced; the Juſtice of the Nation Unblemiſhed; the Revenues of the Crown carefully and honeſtly collected, and diſtributed with an equal hand of generoſity and good husbandry, according to the ſeveral occaſions that may require either: How can ſuch a Miniſter be watching the ſecret Machinations of the Envyers, and Underminers of his Credit and Honeſty? And therefore he may be forgiven, if, being conſcious to himſelf of his own Integrity towards the Publick, he contemns the little Arts of ill deſigning Men; by which however, from the firſt hour of his entering into the Service of his Maſter, he is continually purſued, till he is at length hunted down, and unavoidably deſtroyed at Court.

We do not intend here to write the particulars of the Life of this Author; but We may ſay in ſhort, that ſuch a Figure as is here deſcribed of a great and Superiour Miniſter, and, in ſome degree, of a Favourite too, this excellent Man made, for about two years after the Reſtauration of the King his Maſter, who, during that time, relied intirely on his Advice, and Conduct. There were indeed ſome other Great and Wiſe Men, whom the King, for ſome conſiderable time, conſulted in his weightieſt Affairs. There was the Earl of Southampton, *then Lord High Treaſurer of* England, *with whom our Author had always an intire and faſt Friendſhip, and whom all Men, that knew him, honour'd him for his great Abilities, and eminent Integrity. There was the Duke of* Albemarle, *then Lord General, who had the honour, and good Fortune of bringing moſt things, and Men at that time to bear together, for the Reſtauration of that King, and the Royal Family to the Seat of their Anceſtors There was the then Marquis of* Ormond, *ſoon after his Majeſty's Return made Lord Steward of the Houſe-hold, and Lord Lieutenant of* Ireland; *who had, not only followed, but even graced his Maſters Fortunes, in all the time of his Exile, with the Attendance of ſo eminent, and meritorious a Subject; who had often ventured his Perſon, and loſt all his Large Eſtate in the ſteady purſuit of Loyalty and Duty to the Crown, and Zeal for the true Religion. There was the Earl of* Sandwich, *who had, when Admiral, and General at Sea, to his ſhare the glorious part of bringing the Fleet of* England, *and the Body of the Engliſh Sea-men, to concur in the King's Reſtauration; and had, before that time, been very meritorious towards his Majeſty, as is mention'd at large in the anſuing parts of this Hiſtory. Theſe were the principal; and beſides theſe, there was one more, who, tho' in a different rank, was admitted, at that time, in the moſt intimate Truſt and Confidence, Old Secretary* Nicholas; *who had ſerved his two Maſters, King* Charles *the firſt and ſecond, with ſo much Faithfulneſs and Integrity, as to be juſtly entitled to a part in the moſt important Adminiſtration. But, without the leaſt deſign of detracting from the Credit or Intereſt of theſe great, and honourable Perſons, We may truly ſay, our Author had the preference of them all in the King's Favour and Eſteem; and by his prudence, knowledge, and experience, in which he ſhared with the others, and his Indefatigable Labour and Pains, wherein, it is moſt certain, they did not ſhare with Him, he had the Happineſs, without their Envy, and with their Concurrence, to have the greateſt ſhare in diſpoſing the minds of the People, and the King too, to agree then on ſuch meaſures in Parliament, as laid the foundation of that Peace, Plenty, and Proſperity this Nation hath enjoyed ſince.*

He had the happineſs to have the greateſt ſhare in preſerving the Conſtitution of our Government intire, when the Then preſent Temper of the People, was but too ready to have gone into any undue complyance with the Crown.

He had the happineſs, amongſt ſeveral other good Acts of Parliament, to have the greateſt ſhare in compaſſing and perfecting the Act of Oblivion, and Indemnity; the Act for confirming Judicial Proceedings; and the Act of Uniformity; by which the People of England *were quieted in their Minds, and ſettled in their Poſſeſſions; and the Church of* England *redeem'd from the oppreſſions it had lain under, and eſtabliſhed and ſet up by the Law of*

the Land, as it was alſo by our bleſſed Saviour's promiſe to all thoſe that ſerve him in Holineſs and Truth, on that Rock, againſt which the Gates of Hell were not to prevail. This is that Church, which deſires to have her Doctrine underſtood, as well as obeyed; and which depends on the Infallibility of Scripture for her Guide, but never could be drawn to allow it to any Mortal Men, whether in a ſingle Perſon, or a greater Number; and which, of all the Churches in the World, does moſt rationally inform her Members in the Practice of pure Religion and undefiled towards God, with Decency in Worſhip, without Affectation, Superſtition, or Oſtentation; and Obedience to the King, with due regard to the Conſtitution, and the Laws of the Land. By God's bleſſing on theſe means, our Author had the happineſs to leave laſting Monuments of his Judgment, and his Piety; of his Loyalty to his Prince, and his intire Love to his Country.

It was during the Miniſtry of this Perſon, and whilſt he was in his greateſt Credit, that memorable Expreſſion was uſed, in one of King Charles *the ſeconds Speeches to both Houſes: That, in all his Deliberations and Actions, his principal Conſideration ſhould be, What will a Parliament think of them?*

Every Body then knew, by whoſe Advice that King was inclined to make that wiſe Declaration. And certainly it had been happy for him, if he had always practiſed it; and all England *hath Reaſon to wiſh, that all Miniſters had continued, to this day, to give the like wholeſome Counſel.*

Hæ tibi erunt Artes,

ſaid our Author, to a King of England: *Keep always well with your Parliaments. Let no vain whimſey of the Example of other Countries, but utterly impracticable in This, delude you. Keep always in the true Intereſt of the Nation; and a King of* England *is the greateſt, and happieſt Prince in the World.*

How this Perſon came firſt to leſſen in his Credit, and afterwards, in the ſpace of about five years, to fall quite out of that King's favour, to be Diſgraced, as the Language at Court is, and Baniſhed, muſt be a little touched; and We ſhall make an end. They who were then moſt concern'd in his Misfortunes, and felt the moſt ſenſible ſtrokes of his Majeſty's diſpleaſure in their Family, have it not in their hearts to lay any thing hard at the Door of that King, once a moſt gracious, and indulgent Maſter to our Author, and who was certainly not of a Diſpoſition to do harſh things to any Body; and who, as We have Reaſon to believe, out of the ſenſe of unkind Uſage to the Father, did afterwards, by his own ſingular goodneſs and favour, much againſt the mind of ſome in Credit with him, draw his two Sons, who yet ſurvive, into a very great degree of Truſt, and confidence near him; and particularly beſtowed on the ſecond, extraordinary marks of Honour and Bounty, that are to deſcend to his Poſterity.

We take them both to be men of ſo much Piety to their Father, and ſo much Spirit in themſelves, that they would, by no means, be bribed to omit any thing upon this occaſion, that might be of Uſe or Advantage to the honour of one they owe ſo much Duty to; if they could conceive, that there was need, at this time of day, to contribute to the Juſtification of his Innocency. The world hath laſted long enough, ſince the Misfortunes of this honourable Perſon, to be throughly convinced, that there was nothing in all thoſe Articles exhibited againſt him in Parliament, that did in the leaſt touch or concern him. One of his Sons, then of the Houſe of Commons, offer'd in that Houſe, that if they, who accuſed him, would but take the Pains to prove to the Houſe any one of the Articles, and take which they would, if they made out but any one of them all, Himſelf, and all his Friends, would acknowledge him guilty of all.

But there is no need now of the vindication of ſuch a Man, whom every Body, in their conſciences, do not only acquit of any crime, but

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all Good Men ſpeak of with honour; and who ſtill lives in the opinion of all true Engliſh Men, in as high a Reputation as any Man to this day.

Yet altho' We intend to decline all manner of Reflection on the Memory of that King, We may be allow'd to ſay, That that excellently well natured Prince, who did very few ill natured things in his Reign, was prevailed upon, in this caſe, not only to put out of his Service one of the moſt Faithful and Ancient Servants then alive to his Father, or Himſelf (which is not to be ſo much complain'd of; for it would be a hard Tie indeed, for a Prince to be, as it were, Married to his Servants for better, for worſe) but to conſent to an Act of Parliament, that obliged this his poor Servant to end his days in Baniſhment, with old Age and Infirmities to attend him: This might be thought a little hard hearted to inflict upon a Man, who had the honour and happineſs, in the more vigorous part of his Life, to have led the King himſelf through his own Exile, with Credit and Dignity, and in more Honour and Reputation, than uſuallly attends Unfortunate Princes, that are deprived of their own Dominions; and at laſt, in the fulneſs of God's own Time, had the happineſs to have ſo conſiderable a ſhare in the Conduct of his Reſtauration. For it was by this Author principally, that the continual correſpondence was kept up with the Loyal Party in England, in order to cultivate good thoughts of his Majeſty in the minds of his People, and to bring them, in ſome ſort, acquainted with his Temper and Diſpoſition, before they could know his Perſon. This Author likewiſe framed, diſpoſed, and drew thoſe Letters and Declarations from Breda, which had ſo wonderful an Effect all over England, and were ſo generally approved here, that they were, almoſt all, turn'd into Acts of Parliament

Many perhaps may not unreaſonably believe, that the Marriage of the then Duke of York with the Daughter of this Author might have been one great occaſion, if not the Foundation of his Fall; and tho' it be moſt undoubtedly true, that this very unequal Alliance was brought to paſs intirely without the knowledge, or Privity of this Author, but ſo much the contrary, that when the King, at that time, made him more than ordinary expreſſions of his Grace to him, with aſſurances that this Accident ſhould not leſſen the Eſteem, and Favour his Majeſty had for him; yet his own good Judgment made him immediately ſenſible, and declare it too, to thoſe he was intimate with, that this muſt certainly be the occaſion of the diminution of his Credit.

The continual dropping of Water does not more infallibly make an hollow in a Stone, than the perpetual Whiſpers of ill Men muſt make impreſſion in the heart of any Prince, that will always lie open to hear them; nor can any Man's mind be ſufficiently guarded from the influence of continued Calumny, and Back biting.

When the Duke of York had made this Marriage, it was not unnatural to thoſe ill minded Men to ſuggeſt, that, for the time to come, that Miniſter would be contriving Advantages for the good of his own Poſterity, to the prejudice of his Soveraign, and Maſter. What their wickedneſs, poſſibly, would have allow'd Them to practice, was ground enough to them, for an Accuſation of his Innocency.

It was true that the Duke of York was become the Chancellour's Son-in-Law; and therefore they hoped to be believed, when they ſaid, that to ſatisfy his Ambition, he would forfeit his Integrity; which, God knows, was Not true.

Thus what Tacitus obſerves in the time of Tiberius, of Granius Marcellus, who was inform'd againſt to have ſpoken ill words of that Emperour, was here, in ſome ſort, verified on our Author:

Inevitabile crimen, ſays Tacitus concerning thoſe words, nam, quia vera erant, etiam dicta credebantur.

The Alliance was undeniable; there were Children born of it; and the King was not bleſſed with any from his Marriage. An inevitable crime laid on our Author. For, becauſe it was true, that there were Children from one Marriage, and not from the other, it was ſuggeſted, that both

Marriages

Marriages had been ſo contrived by the Chancellor : tho' the King knew very well, that his own Marriage had not been firſt projected, or propoſed by this Author ; and that he had often told his Majeſty what ſuſpitions there were in the world, that that great and virtuous Princeſs might prove unfruitful.

Another inevitable Misfortune, which was then laid as a Crime too on our Author, was a Report very falſely, but very induſtriouſly ſpread abroad, that firſt begat a Coldneſs and, by degrees, very much diſinclined a great many of the Royal Party to him ; a Report, that he ſhould have inſtilled into the King's mind a Principle, that he muſt prefer his Enemies, and advance Them, to gain them to be his Friends ; and for his Old Friends, it was no matter how he uſed Them, for They would be ſo ſtill. To which very ſcandalous miſrepreſentation We muſt give this true Anſwer.

It fell out indeed, that every Man's Expectation, that had laboured all the heat of the day in the Vine-yard, who had received wounds in their Perſons in the day of Battle, or ſuffer'd in their Fortunes or Liberties, for the preſervation of a good conſcience during the Uſurpation of Tyranny and Anarchy, was not, and, alas! could not, be recompenced immediately according to their Merit, or the Hopes they had entertained : And becauſe it was true that they were diſappointed, it was believed by ſome of them ; that our Author, being Miniſter at that time, had inſtilled this damnable Doctrine and Poſition ; that it was no matter how the King uſed his Old Friends : and becauſe it was true that they were not conſidered as they deſerved, it muſt be believed, as they would have it, that He was the Author of that Advice.

It was true that ihe King, who was ſo wonderfully reſtored with all that Glory and Peace, more perhaps upon the confidence of his Declarations and Promiſes from Breda, *than any other Humane means, and who had thought it neceſſary to recommend, in his moſt gracious Speech to both Houſes, upon the paſſing the Act of Indemnity, that all marks of diſtinction and diviſion amongſt his Subjects, ſhould be for ever buried and forgotten, did not think it for his Honour, and true Intereſt, to Reign over a Party only of his Subjects ; and therefore, immediately after his Reſtoration, in order to the ſettlement of his Court and Family, the then Earl of* Mancheſter, *whoſe part every body remember'd to have been very eminant, in the time of the Rebellion, againſt King* Charles *the firſt, but who had induſtriouſly applied himſelf ſeveral years to the King, to make reparation for his former Errors, and had been conſidrably ſerviceable to him in ſeveral occaſions, was honoured with the Office of Lord Chamberlain of the Houſe-hold ; to let the Kingdom ſee, how the King Himſelf began with practiſing what he exhorted his Subjects to, that admirable Art of Forgetfulneſs, when he put Such a perſon into ſo eminent a Station in the Government, near his own Perſon. And it was certainly of Advantage to the King, in the beginning of his ſettlement here, as well as a Mark of Juſtice in his Nature, to let his Subjects know and feel, that every one of them might capacitate himſelf, by his future behaviour, for any Dignity and Preferment,*

But it could never be in the Heart of a man ; who had been all along on the ſuffering ſide, to do his own Party ſo baſe an Office with the King, as this falſe Repart did inſinuate. He might be of opinion that the fatted Calf mas to be killed, for the entertainment of the Prodigal Son, whenever he returned ; that there might be no diſtinction of Parties kept up amongſt Us ; but he could never forget the Birthright of the Eldeſt Son, who had ſerved the King ſo many years, and had not at any time tranſgreſſed his commandments, and ſo well deſerved that praiſe, and that reward, Son, thou art ever with me, and all that I have is thine. *And yet this Calumny, falſe as it was, was another inevitable Crime, or at leaſt Misfortune. For without that opinion, which ſome of the Royal Party had ſucked in, that the Chancellor had abandon'd their Intereſt, it had been impoſſible to have engaged a Majority in that Parliament, to have conſented to that Act of Baniſhment.*

God

God forgive the Inventors and Contrivers of that foul Calumny: But, by his Almighty Providence, who from Heaven reveals Secrets, it was not long before that Party was diſabuſed. For, tho' the Chancellour, for ſome time, bore the blame, that they had not been more conſidered, it was quickly found, that it was not from Him, but from the miſtaken Politicks of the new States-men, that they were deſign'd to be neglected. Nor did they at all find themſelves more taken notice of, after his Removal; nor have the ſeveral other Parties in the Kingdom, that have been cheriſhed, and countenanced in oppoſition to this, much declined, as We conceive, to this day.

But after all, We are humbly of opinion, that it was neither of theſe above-mention'd unavoidable Misfortunes, nor both together, that gave the fatal, and laſt deciſive blow to the fortune of this good Man. The King had too good a Judgment, and was too well natured, to have been impoſed upon barely by ſuch Attacks as theſe, which he knew very well himſelf, as to our Authors guilt in them, were Frivolous and Unjuſt.

But there are always in Courts ſecret Engines, that Actually conſummate the Miſchiefs, that others, in a more publick way, have been long in bringing to paſs: And in this caſe there were two principal ones:

The One, the Intereſt of ſome of the Zealots of the Popiſh Party, who knew this Miniſter had too much Credit in the Nation, tho' he ſhould loſe it with the King, to ſuffer the Projects, they perpetually had, of propagating their Religion, to take effect, whilſt he ſhould be in the Kingdom:

The Other, the Faction of the Ladys, too prevalent at that time with the King, who were afraid of ſuch a Mans being near him, as durſt talk to him, as he had ſeveral times taken the Liberty to do, of the ſcandal of their lives, and reprove both the Maſter and the Miſtreſſes, for their publick unlawful Converſations.

Thus theſe two Intereſts, joyning their Forces, were ſo powerful, that there was no reſiſting them, by a Man, who could not make Court to Either. And ſo he fell a Sacrifice to the Ambition, and Malice of all ſorts of Enemies, who were deſirous of getting new places to themſelves in the Court, and of trying new Inventions in the State.

And yet it is to be obſerved, that that King, who was, almoſt all his Reign, ever labouring, with much pains, to get a little Eaſe, which he might perhaps have attained with leſs trouble, and, no doubt, hoped, by getting rid of this old importunate Counſellor, to terrify any Man from preſuming afterwards to tell him ſuch bold Truths, had ſcarce ever after any Serenity in his whole Reign: But thoſe very Women, or others in their places, and the Factions he himſelf had given countenance to, grew too hard for him, and tore him almoſt to pieces, ſometimes in the favouring of one Party, and ſometimes of another, without ſteadyneſs of his own, or confidence enough in any of his Servants, to guide him through thoſe perplexities, that could not have been brought upon him, but by his own conſent.

We dare ſay, there were ſome hours in his life, that he wiſh'd he had had his old Chancellour again; who, he knew, was a more skilful Pilot than any of his new States-men:

(Tempus erit, magno cum optaverit emptum Intactum)

And that he had not, by his too much eagerneſs to get rid of one old Servant, given to great an handle to have new Meaſures, and new Counſels, ſo often impoſed upon him, throughout the whole remaining part of his life.

Thus We have finiſhed our Preface, which We thought incumbent on us to make, who had lived to be acquainted with this Author, and to have known his merit, that it might attend the publiſhing this Hiſtory, to give the preſent Age ſome information of the Character of him, they are to read. And as we deſired to perform it with reſpect to his Memory, ſo, We hope, We have not exceeded the bounds of truth, and modeſty, which he himſelf would have taken unkindly from thoſe, that are doing this Office to him.

Whatever Misfortunes he might have in his life; whatever Enemies he might have had; or whatever Errors he might have committed (which few Men in his high Stations escape quite clear of) We presume to think he deserves, from all impartial Men, the praise of an honest, just, and able Servant to the Church and Crown, and to be ranked amongst the great and good Ministers of State.

And now We will conclude all, with a thanksgiving to God in Saint Luke, Glory be to God on high, and on Earth peace, good will, towards Men.

For God's Name ought ever to be glorified in all his dispensations; whether they be attended with the Prosperities, or Adversities of this present World. We speak it knowingly, that our Noble Author did so throughout the Course of his Misfortunes, and that he did adore, and magnify God's holy Name, For all his Mercies so plentifully bestowed upon him; and particularly for giving him the Courage and Virtue; constantly to act and suffer honourably through all the considerable Employments of his life; and, more especially, to endeavour to keep things even between the King and the People (the everlasting labour of a faithful Servant) rather than advance his own favour, by unreasonably advancing the Prerogative on the one hand, or his credit, by courting the Popular Interest, on the other; which We heartily wish, all Men, in the highest Authority under a King of England, *may ever remember to practice.*

And whoever are acquainted with the Sons of this Noble Author, must do them this justice to own, they have often declared, that they have found themselves as well the better Christians, as the better Men, for the afflicted, as well as prosperous parts of their Father's Life; which hath taught them, to be the less surprised with the various turns, they have met with in the Course of their own. With Saint Paul, *they* have learnt to know how to be exalted, and how to be abased. *This as Christians: And with* Horace, *who attributes more to* Fortune, *they have learnt to have always in their minds,*

Laudo manentem, si celeres quatit
Pennas, Resigno quæ dedit.

And having thus glorified God on high, that they may do all in them lies, towards promoting Peace on Earth, they do very heartily declare, and profess good Will towards all Men; and bear no unkindness to any, that were the Contrivers of the undeserved Misfortunes of their Noble Father.

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THE

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THE

THE
History of the Rebellion, &c.
BOOK I.

Deut. iv. 7, 8, 9.

For what Nation is there so great, who hath God so nigh unto them, as the Lord our God is in all things that we call upon him for? And what Nation is there so great that hath Statutes, and Judgments so righteous as all this Law, which I set before you this day? Only take heed to thy self, and keep thy soul diligently, least thou forget the things which thine eyes have seen.

The Preface of the Author.

THAT Posterity may not be Deceived by the prosperous Wickedness of those times of which I write, into an Opinion, that nothing less than a general Combination, and universal Apostacy in the whole Nation from their Religion, and Allegiance, could, in so short a time, have produced such a total and prodigious Alteration, and Confusion over the whole Kingdom; and that the Memory of those, who, out of Duty and Conscience, have opposed that Torrent, which did overwhelm them, may not lose the recompence due to their Virtue, but having undergone the injuries and reproaches of this, may find a vindication in a better age: It will not be unuseful for the information of the Judgment and Conscience of men, to present to the world a full and clear Narration of the Grounds, Circumstances, and Artifices of this Rebellion; not only from the time since the flame hath been visible in a Civil war, but looking farther back, from those former passages and accidents, by which the Seed-plots were made and framed, from whence those mischiefs have successively grown to the height, they have since arrived at.

And in this ensuing History, though the hand and judgment of God will be very visible, in infatuating a People (as ripe and prepared for Destruction) into all the perverse actions of Folly and Madness, making the Weak to contribute to the designs of the Wicked, and suffering even those by degrees, out of a Conscience of their guilt,

to grow more wicked than they intended to be; letting the Wiſe to be impoſed upon by men of ſmall underſtanding; and permitting the Innocent to be poſſeſſed with lazineſs and ſleep in the moſt viſible article of danger; uniting the Ill, though of the moſt different opinions, oppoſite intereſts, and diſtant affections, in a firm and conſtant league of Miſchiefs; and dividing thoſe whoſe opinions and intereſts are the ſame, into Faction and Emulation, more pernicious to the Publick than the Treaſon of the others: whilſt the poor People, under pretence of Zeal to Religion, Law, Liberty, and Parliaments (words of precious eſteem in their juſt ſignification) are furiouſly hurried into actions introducing Atheiſm, and diſſolving all the Elements of Chriſtian Religion; cancelling all obligations, and deſtroying all foundations of Law and Liberty; and rendring, not only the Privileges, but the very being of Parliaments deſperate and impracticable: I ſay, though the immediate finger and wrath of God muſt be acknowledged in theſe perplexities and diſtractions; yet he who ſhall diligently obſerve the diſtempers and conjunctures of Time, the ambition, pride and folly of Perſons, and the ſudden growth of Wickedneſs, from want of care and circumſpection in the firſt impreſſions, will find all theſe miſeries to have proceeded, and to have been brought upon us from the ſame natural cauſes, and means, which have uſually attended Kingdoms ſwoln with long plenty, pride, and exceſs, towards ſome ſignal mortification, and caſtigation of Heaven. And it may be, upon the conſideration how impoſſible it was to foreſee many things that have happen'd, and of the neceſſity of overlooking many other things, we may not yet find the cure ſo deſperate, but that by God's mercy the wounds may be again bound up; and then this proſpect may not make the future Peace leſs pleaſant and durable.

I have the more willingly induced my ſelf to this unequal task, out of the hope of contributing ſomewhat to that bleſſed end: and though a piece of this nature (wherein the infirmities of ſome, and the malice of others muſt be boldly look'd upon and mention'd) is not likely to be publiſhed in the age, in which it is writ, yet it may ſerve to inform my ſelf, and ſome others, what we ought to do, as well as to comfort us in what we have done. For which work, as I may not be thought altogether an incompetent perſon, having been preſent as a Member of Parliament in thoſe Councils before, and till the breaking out of the Rebellion, and having ſince had the honour to be near two great Kings in ſome truſt, ſo I ſhall perform the ſame with all faithfulneſs, and ingenuity, with an equal obſervation of the faults and infirmities of both ſides, with their defects and overſights in purſuing their own ends; and ſhall no otherwiſe mention ſmall and light occurences, than as they have been introductions to matters of the greateſt moment, nor ſpeak of Perſons otherwiſe, than as the mention of their Virtues or Vices is eſſential to the work in hand: In which I ſhall, with truth, preſerve my ſelf from the leaſt ſharpneſs, that may proceed from private provocation, and in the whole, obſerve the rules, that a Man ſhould, who deſerves to be believed.

I ſhall not then lead any man farther back in this journey for the diſcovery of the entrance into thoſe dark ways, than the beginning of this King's reign. For I am not ſo ſharp-ſighted as thoſe, who have diſcerned this Rebellion contriving, from (if not before) the death of Queen *Elizabeth*, and fomented by ſeveral Princes, and great Miniſters of State in *Chriſtendom*, to the time that it brake out. Neither do I look ſo far back as I do, becauſe I believe the deſign to have been ſo long ſince formed, but that by viewing the Temper, Diſpoſition, and Habit at that time of the Court and of the Country, we may diſcern the minds of men prepared, of ſome to act, and of others to ſuffer all that hath ſince happened; the Pride of this man, and the Popularity of that; the Levity of one, and the Moroſity of another; the Exceſs of the Court in the greateſt Want, and the Parſimony and Retention of the Country in the greateſt Plenty; the ſpirit of Craft and Subtilty in ſome, and the Unpoliſhed Integrity of others, too much deſpiſing craft or art; all contributing jointly to this maſs of Confuſion now before us.

A View of the beginning of K. Charles I. his Reign.

KING *James* in the end of March 1625 died, leaving his Majeſty that now is, engaged in a War with *Spain*, but unprovided with money to manage it; though it was undertaken by the conſent and advice of Parliament: the People being naturally enough inclined to the War (having ſurfeited with the uninterrupted pleaſures and plenty of 22 years Peace) and ſufficiently inflamed againſt the Spaniard; but quickly weary of the charge of it: And therefore, after an unproſperous and chargeable attempt in a voyage by Sea upon *Cadiz*,

Cadiz, and as unſucceſsful, and more unfortunate one upon *France* at the Iſle of *Ree* (for ſome difference had likewiſe about the ſame time begotten a War with that Prince) a general Peace was ſhortly concluded with both Kingdoms; the Exchequer being ſo exhauſted with the debts of King *James*, the bounty of his Majeſty that now is (who upon his firſt acceſs to the Crown gave many coſtly inſtances of his favour to perſons near him) and the charge of the War upon *Spain*, and *France*, that both the known, and caſual Revenue being anticipated, the neceſſary Subſiſtance of the houſhold was unprovided for; and the King on the ſudden driven to thoſe ſtreights for his own Support, that many ways were reſorted to, and inconveniencies ſubmitted to for Supply; as ſelling the Crown-Lands, creating Peers for money, and many other particulars, which no acceſs of power, or plenty ſince could repair.

Parliaments were ſummoned, and again diſſolved in diſpleaſure: And that in the fourth year (after the Diſſolution of the two former) was determined with a Profeſſion, and Declaration that, " ſince for ſeveral ill ends the calling again of a " Parliament was divulged, however his majeſty had ſhewed, by his frequent mee- " ting with his People, his love to the uſe of Parliaments, yet the late abuſe having " for the preſent, driven his majeſty unwillingly out of that courſe, he ſhall account " it preſumption for any to preſcribe any time to his Majeſty for Parliaments. Which words were generally interpreted, as if no more Aſſemblies of that nature were to be expected, and that all men were prohibited upon the Penalty of cenſure, ſo much as to ſpeak of a Parliament. And here I cannot but let my ſelf looſe to ſay, that no man can ſhew me a Source, from whence thoſe waters of bitterneſs, we now taſte, have more probably flowed, than from theſe unreaſonable, unskilful, and precipitate Diſſolutions of Parliaments; in which, by an unjuſt ſurvey of the Paſſion, Inſolence and Ambition of particular Perſons, the Court meaſured the Temper and Affection of the Countrey; and by the ſame ſtandard the People conſider'd the Honour, Juſtice, and Piety of the Court; and ſo uſually parted, at thoſe ſad ſeaſons, with no other reſpect, and charity one toward the other, than accompanies perſons, who never meant to meet but in their own defence. In which the King had always the diſadvantage to harbour Perſons about him, who with their utmoſt Induſtry, falſe Information, and Malice, improved the Faults and Infirmities of the Court to the People; and again, as much, as in them lay, rendred the People ſuſpected, if not odious to the King.

I am not altogether a ſtranger to the paſſages of thoſe Parliaments (though I was not a Member of them) having carefully peruſed the Journals of both Houſes, and familiarly converſed with many, who had principal parts in them. And I cannot but wonder at thoſe Counſels, which perſwaded the courſes then taken; the habit and temper of mens minds, at that time, being, no queſtion, very applicable to the publick Ends; and thoſe ends being only diſcredited by the Jealouſies, the people entertained from the manner of the proſecution, that they were other, and worſe than in truth they were. It is not to be denied, that there were, in all thoſe Parliaments, eſpecially in that of the fourth year, ſeveral Paſſages, and diſtempered Speeches of particular perſons, not fit for the dignity, and honour of thoſe places, and unſuitable to the Reverence due to his Majeſty and his Councils. But I do not know any formed act of either Houſe (for neither the Remonſtrance, nor Votes of the laſt day were ſuch) that was not agreeable to the Wiſdom, and Juſtice of great Courts upon thoſe extraordinary occaſions. And whoever conſiders the acts of power, and injuſtice of ſome of the Miniſters, in thoſe intervals of Parliament, will not be much ſcandalized at the warmth, and vivacity of thoſe meetings.

In the ſecond Parliament there was a mention, and intention declared of granting five Subſidies, a proportion (how contemptible ſoever in reſpect of the preſſures now every day impoſed) ſcarce ever before heard of in Parliament. And that meeting being, upon very unpopular, and unplauſible reaſons, immediately Diſſolved, thoſe five Subſides were exacted, throughout the whole Kingdom, with the ſame rigour, as if, in truth, an Act had paſſed to that purpoſe: Divers Gentlemen of prime quality, in ſeveral Counties of *England*, were, for refuſing to pay the ſame, committed to priſon, with great rigour and extraordinary circumſtances. And could it be imagined, that thoſe men would meet again in a free convention of Parliament, without a ſharp, and ſevere expoſtulation, and inquiſition into their own Right, and the Power that had impoſed upon that Right? And yet all theſe Provocations, and many other, almoſt of as large an extent, produced no other Reſentment than the Petition of Right (of no preju-

prejudice to the Crown) which was likewiſe purchaſed at the price of five Subſidies more, and in a very ſhort time after that ſupply granted, that Parliament was likewiſe, with ſtrange circumſtances of paſſion on all ſides, Diſſolved.

The abrupt, and unkind breaking of the two firſt Parliaments, was wholly imputed to the Duke of *Buckingham*; and of the third principally to the Lord *Weſton*, then Lord High Treaſurer of *England*; both in reſpect of the great Power, and Intereſt they then had in the Affections of his Majeſty, and for that the time of the Diſſolutions happened to be when ſome Charges, and Accuſations were preparing, and ready to be preferred againſt thoſe two great Perſons. And therefore the Envy, and Hatred, that attended them thereupon, was Inſupportable, and was viſibly the cauſe of the Murther of the firſt (ſtabbed to the heart by the hand of a Villain, upon the meer impious pretence of his being odious to the Parliament) and made no doubt, ſo great an impreſſion upon the Underſtanding, and Nature of the other, that, by degrees, he loſt that temper, and ſerenity of mind, he had been before maſter of, and which was moſt fit to have accompanied him in his weighty imployments; inſomuch, as, out of indignation to find himſelf worſe uſed than he deſerved, he cared leſs to deſerve well, than he had done; and inſenſibly grew into that publick hatred, that render'd him leſs uſeful to the Service, that he only intended.

I wonder leſs at the Errors of this nature, in the Duke of *Buckingham*; who, having had a moſt Generous Education in Courts, was utterly ignorant of the Ebbs and Floods of popular Councils, and of the Winds that move thoſe Waters; and could not without the Spirit of Indignation, find himſelf, in the ſpace of a few Weeks, without any viſible cauſe intervening, from the greateſt height of popular Eſtimation, that any perſon hath aſcended to (inſomuch as Sir *Edward Coke* blaſphemouſly call'd him our Saviour) by the ſame breath thrown down to the depth of Calumny, and Reproach. I ſay, it is no marvel (beſides that he was naturally to follow ſuch Counſels as were given him) that he could think of no better way, to be freed of theſe inconveniences, and troubles, the Paſſions of thoſe Meetings gave him, than to Diſſolve them, and prevent their coming together: and that when they ſeemed to neglect the publick Peace, out of Animoſity to him, he intended his own Eaſe and Security in the firſt place, and eaſily believed, the Publick might be otherwiſe provided for, by more Intent, and Diſpaſſionate Counſels. But that the other, the Lord *Weſton*, who had heen very much, and very popularly converſant in thoſe Conventions, who exactly knew the Frame, and Conſtitution of the Kingdom, the Temper of the People, the Extents of the Courts of Law, and the Juriſdiction of Parliaments, which at that time had ſeldom, or never committed any Exceſs of Juriſdiction (Modeſty and Moderation in Words never was, nor ever will be obſerved in Popular Councils, whoſe Foundation is Liberty of Speech) that he ſhould believe, that the Union, Peace, and Plenty of the Kingdom could be preſerved without Parliaments, or that the Paſſion, and Diſtemper gotten, and received into Parliaments could be removed, and reformed by the more paſſionate Breaking and Diſſolving them; or That that Courſe would not inevitably prove the moſt pernicious to himſelf, is as much my wonder, as any thing that hath ſince happened.

There is a Protection very gracious, and juſt, which Princes owe to their Servants, when in obedience to their juſt Commands, upon extraordinary and neceſſary Occaſions, in the Execution of their Truſts, they ſwerve from the ſtrict Letter of the Law, which, without that Mercy, would be Penal to them. In any ſuch Caſe, it is as Legal (the Law preſuming it will always be done upon great Reaſon) for the King to pardon, as for the Party to accuſe, and the Judge to condemn. But for the Soveraign Power to interpoſe, and ſhelter an accuſed Servant from anſwering, do's not only ſeem an Obſtruction of Juſtice, and lay an Imputation upon the Prince of being privy to the Offence, but leaves ſo great a ſcandal upon the Party himſelf, that he is generally concluded Guilty of whatſoever he is charged with; which is commonly more than the worſt Man ever deſerved. And it is worthy the Obſervation, that, as no innocent Man, who made his Defence, ever ſuffer'd in thoſe times by Judgment of Parliament, ſo many guilty Perſons, and againſt whom the Spirit of the times went as high, by the wiſe managing their Defence, have been freed from their Accuſers, not only without Cenſure, but without Reproach; as the Biſhop of *Lincoln*, then Lord Keeper, Sir *H. Marten*, and Sir *H. Spiller*; Men in their ſeveral degrees, as little beholden to the Charity of that time, as any Men ſince. Whereas ſcarce a Man, who with Induſtry and Skill, laboured to keep himſelf from being accuſed, or by power to ſtop or divert the courſe of Proceeding, 'ſcaped without ſome ſignal mark of infamy, or prejudice.

And

And the Reaſon is clear, for beſides that, after the firſt Storm, there is ſome Compaſſion naturally attends Men like to be in Miſery; and beſides the latitude of judging in thoſe places, whereby there is room for Kindneſs and Affection, and collateral Conſiderations to interpoſe; the truth is, thoſe Accuſations (to which this man contributes his Malice, another his Wit, all men what they pleaſe, and moſt upon Hear-ſay, with a kind of uncharitable Delight of making the Charge as heavy as may be) are commonly ſtuffed with many odious Generals, that the proofs ſeldom make good: And then a man is no ſooner found leſs guilty than he is expected, but he is concluded more Innocent than he is; and it is thought but a juſt Reparation for the Reproach that he deſerved not, to free him from the Cenſure he deſerved. So that very probably thoſe two noble Perſons had been happy, if they had ſtoutly ſubmitted to the Proceedings were deſigned againſt them; and without queſtion, it had been of ſoveraign uſe to the King, if, in thoſe peaceable Times, Parliaments had been taught to know their own Bounds, by being ſuffer'd to proceed as far as they could go; by which the extent of their Power would quickly have been manifeſted: from whence no Inconvenience of moment could have proceeded; the Houſe of Commons never then pretending to the leaſt part of Judicature, or exceeding the known Verge of their own Privileges; the Houſe of Peers obſerving the Rules of the Law and Equity in their Judgments, and proceeding deliberately upon clear Teſtimony and Evidence of matter of fact; and the King retaining the ſole power of Pardoning, and receiving the whole profit of all Penalties and Judgments; and indeed having ſo great an influence upon the Body of the Peerage, that it was ſcarce known, that any Perſon of Honour was ſeverely cenſured in that Houſe (before this preſent Parliament) who was not either immediately proſecuted by the Court, or in evident Diſfavour there; by which, it may be (as it uſually falls out) ſome doors were opened, at which Inconveniencies to the Crown have got in, that were not then enough Weighed and Conſidered.

But the Courſe of Exempting Men from Proſecution, by Diſſolving of Parliaments, made the Power of Parliaments much more Formidable, as conceived to be without Limit; ſince the ſoveraign Power ſeemed to be compelled (as unable otherwiſe to ſet Bounds to their Proceedings) to that rough Cure, and to determine their Beings, becauſe it could not determine their Juriſdiction. Whereas if they had been frequently Summoned, and ſeaſonably Diſſolved, after their wiſdom in applying Medicines and Cures, as well as their induſtry in diſcovering Diſeaſes, had been diſcerned, they would eaſily have been applied to the Uſes for which they were firſt Inſtituted; and been of no leſs Eſteem with the Crown, than of Veneration with the People. And ſo I ſhall conclude this Digreſſion, which I conceived, was not unſeaſonable for this Place nor upon this occaſion, and return to the time, when that briſk, and improvident Reſolution was taken of declining thoſe Conventions; all men being Inhibited (as I ſaid before they generally took themſelves to be) by the Proclamation at the Diſſolution of the Parliament in the fourth year, ſo much as to mention or ſpeak as if a Parliament ſhould be called.

The State of the Court about that time

And here it will give much Light to that which follows, if we take a View of the State of the Court, and of the Council at that time; by which we may beſt ſee the Face of that time, and the Affections and Temper of the People in general.

The Riſe of the Duke of Buckingham.

For the better taking this Proſpect, we will begin with a ſurvey of the perſon of that great Man, the Duke of *Buckingham*, (who was ſo barbarouſly murdered about this time) whoſe Influence had been unfortunate in the Publick Affairs, and whoſe Death produced a change in all the Counſels. The Duke was indeed a very extraordinary Perſon, and never any Man, in any Age, nor I believe, in any Country, or Nation, roſe in ſo ſhort a time, to ſo much greatneſs of Honour, Fame, and Fortune, upon no other advantage or recommendation, than of the Beauty and Gracefulneſs of his Perſon. I have not the leaſt purpoſe of undervaluing his good Parts and Qualities (of which there will be occaſion ſhortly to give ſome teſtimony) when I ſay, that his firſt introduction into favour was purely from the handſomneſs of his perſon.

He was a younger Son of Sr. *George Villiers*, of *Brookesby* in the County of *Leiceſter*; a Family of an ancient extraction, even from the time of the Conqueſt, and Tranſported then with the Conqueror out of *Normandy*, where the Family hath ſtill remained, and ſtill continues with Luſtre. After Sr. *George*'s firſt marriage, in which he had two or three Sons, and ſome Daughters, who ſhared an ample Inheritance from him; by a ſecond marriage with a Lady of the Family of the *Beaumonts*;

monts, he had this Gentleman, and two other Sons and a Daughter, who all came afterwards to be raiſed to great Titles and Dignities. *George*, the eldeſt ſon of this ſecond bed, was, after the death of his Father, by the ſingular affection and care of his Mother, who enjoyed a good Jointure, in the account of that age, well brought up; and, for the improvement of his Education, and giving an ornament to his hopeful Perſon, he was by her ſent into *France*; where he ſpent two or three years in attaining the Language, and in learning the exerciſes of Riding and Dancing; in the laſt of which he excelled moſt men, and returned into *England* by the time he was 21 years old.

King *James* reigned at that time, and tho' he was a Prince of more Learning and Knowledge than any other of that Age, and really delighted more in Books, and in the Converſation of learned Men, yet, of all wiſe Men living, he was the moſt delighted and taken with Handſom Perſons, and with Fine Cloaths. He begun to be weary of his Favourite, the *Earl* of *Somerſet*, who was the only Favourite that kept that Poſt ſo long, without any publick reproach from the People. But by the inſtigation and wickedneſs of his Wife, he became, at leaſt privy to a horrible murder, that expoſed him to the utmoſt ſeverity of the Law (the Poiſoning of Sir *Thomas Overbury*) upon which both He, and his Wife were condemned to die, after a Tryal by their Peers, and many Perſons of Quality were executed for the ſame.

Whilſt this was in Agitation, and before the utmoſt diſcovery was made, Mr. *Villiers* appeared in Court, and drew the King's Eyes upon him. There were enough in the Court ſufficiently angry, and incenſed againſt *Somerſet*, for being what themſelves deſired to be, and eſpecially for being a *Scots*-man, and aſcending, in ſo ſhort a time, from being a Page, to the Height he was then at, to contribute all they could to promote the One, that they might throw out the Other: Which being eaſily brought to paſs, by the proceeding of the Law upon his aforeſaid Crime, the Other found very little difficulty in rendring himſelf Gracious to the King, whoſe Nature and Diſpoſition was very flowing in affection towards Perſons ſo adorned. Inſomuch that in few days after his firſt appearance in Court, he was made Cupbearer to the King, by which he was, of courſe, to be much in his Preſence, and ſo admitted to that converſation and diſcourſe, with which that Prince always abounded at his meals.

His Inclinations to his new Cup-bearer diſpoſed him to adminiſter frequent occaſions of diſcourſing of the Court of *France*, and the tranſactions there, with which he had been ſo lately acquainted, that he could pertinently enlarge upon that Subject, to the King's great delight, and to the gaining the eſteem and value of all the ſtanders by to Himſelf: Which was a thing the King was well pleaſed with. He acted very few Weeks upon this Stage, when he mounted higher, and, being Knighted, without any other further Qualification, he was at the ſame time made Gentleman of the Bed-chamber, and Knight of the Order of the Garter, and in a ſhort time (very ſhort for ſuch a prodigious aſcent) he was made a Baron, a Viſcount, an Earl, a Marquiſs, and became Lord high Admiral of *England*, Lord Warden of the Cinque-Ports, Maſter of the Horſe, and entirely diſpoſed of all the Graces of the King, in conferring all the Honours and all the Offices of three Kingdoms without a Rival; in diſpenſing whereof, he was guided more by the Rules of Appetite, than of Judgment, and ſo, exalted almoſt all of his own numerous Family, and Dependants; whoſe greateſt Merit was their Alliance to him; which equally offended the ancient Nobility, and the People of all conditions, who ſaw the Flowers of the Crown every day fading, and withered; whilſt the Demeaſnes, and Revenue thereof were ſacrificed to the enriching a private Family (how well ſoever originally extracted) ſcarce ever heard of before to the Nation, and the expences of the Court ſo vaſt and unlimited, that they had a ſad proſpect of that Poverty, and Neceſſity which afterwards befell the Crown, almoſt to the ruin of it.

Many were of opinion, that King *James* before his death, grew weary of this Favourite, and that, if he had lived, he would have deprived him at leaſt of his large, and unlimited Power. And this imagination ſo prevailed with ſome men, as the Lord Keeper *Lincoln*, the Earl of *Middleſex*, Lord high Treaſurer of *England*, and other Gentlemen of Name, though not in ſo high Stations, that they had the courage to withdraw from their abſolute dependance upon the Duke, and to make ſome other Eſſays, which proved to the Ruin of every one of them; there appearing no mark or evidence, that the King did really leſſen his affection to Him, to the hour of his death. On the contrary, as he created him Duke of *Buckingham* in his Abſence,

Abſence, while he was with the Prince in *Spain*, ſo, after their Return, the Duke executed the ſame Authority in conferring all Favours and Graces, and in revenging himſelf upon thoſe, who had manifeſted any unkindneſs towards him. And yet notwithſtanding all this, if that King's nature had equally diſpoſed him to pull down, as to build and erect, and if his courage and ſeverity in puniſhing and reforming, had been as great, as his generoſity and inclination was to oblige, it is not to be doubted, but that he would have withdrawn his affection from the Duke entirely, before his death; which thoſe Perſons, who were admitted to any Privacy with Him, and were not in the Confidence of the Other (for before Thoſe he knew well how to diſſemble) had reaſon enough to expect.

An Account of Pr. Charles's *Journey into* Spain.

For it is certain, that the King was never well pleaſed with the Duke, after the Prince's going into *Spain*, which was infinitely againſt his Will, and contrived wholely by the Duke: Who, out of Envy, that the Earl of *Briſtol* ſhould have the ſole management of ſo great an Affair, (as hitherto that Treaty had been wholely conducted by him in *Spain*, where he was Extraordinary Embaſſadour, and all Particulars upon the matter agreed upon;) had one day inſinuated to the Prince the common misfortune of Princes, that in ſo ſubſtantial a part of their Happineſs in this world, as depended upon their Marriage, Themſelves had never any part, but muſt receive only an account from others of the nature, and humour, and beauty of the Ladies they were to marry; and thoſe reports ſeldom proceeded from perſons totally Unintereſted, by reaſon of the parts, they had acted towards ſuch preparations. From hence he diſcourſed, how Gallant and how Brave a thing it would be, for his Highneſs to make a Journey into *Spain*, and to fetch home his Miſtreſs; that it would put an end preſently to all thoſe Formalities, which (though all Subſtantial matters were agreed upon already) according to the Style of that Court, and the ſlow progreſs in all things of Ceremony, might yet retard the Infanta's voyage into *England* many months; all which would be in a moment removed by his Highneſſes own Preſence; that it would be ſuch an Obligation to the Infanta her ſelf, as ſhe could never enough value or requite, and being a reſpect rarely paid by any other Prince, upon the like addreſſes, could proceed only from the high regard and reverence he had for her Perſon; that in the great affair that only remained undetermined, and was not entirely yielded to, though under a very friendly deliberation, which was the Reſtoring the *Palatinate*, it was very probable, that the King of *Spain* himſelf might chooſe, in the Inſtant, to gratify his Perſonal Interpoſition, which, in a Treaty with an Embaſſadour, might be drawn out in length, or attended with overtures of recompenſe by ſome new Conceſſions, which would create new Difficulties; However that the Mediation could not but be frankly undertaken by the Infanta her ſelf, who would ambitiouſly make it her work to pay a part of her great Debt to the Prince, and that he might, with Her, and by Her, preſent to his Majeſty the entire peace, and reſtitution of his Family; which by no other Human Means could be brought to paſs.

Theſe diſcourſes made ſo deep impreſſion upon the mind and ſpirit of the Prince (whoſe nature was inclined to Adventures) that he was tranſported with the Thought of it, and moſt impatiently ſollicitous to bring it to paſs. The greateſt difficulty in view was, how they might procure the King's conſent, who was very Quick ſighted in diſcerning difficulties, and raiſing objections, and very ſlow in maſtering them, and untying the knots he had made; In a word, he knew not how to wreſtle with deſperate Contingencies, and ſo abhorred the being entangled in Such. This was firſt to be attempted by the Prince himſelf, by communicating it to the King, as his earneſt deſire and ſuit, with this circumſtance that Since his doing, or not doing what he moſt deſired, depended wholely and entirely upon his Majeſty's own approbation and command, he would vouchſafe to promiſe Not to Communicate the thing propoſed, before he had firſt taken his Own reſolution; and that this condition ſhould be firſt humbly inſiſted on, before the Subſtantial Point ſhould be communicated; and ſo, this approach being firſt made, the ſucceſs and proſecution was to be left to the Duke's credit and dexterity. All things being thus concerted between his Highneſs, and the Duke (and this the beginning of an entire Confidence between them, after a long time of declared Jealouſy and Diſpleaſure on the Prince's part, and Occaſion enough adminiſtred on the Other) they ſhortly found fit opportunity (and there were ſeaſons when that King was to be approached more hopefully than in others) to make their addreſs Together. His Majeſty cheerfully conſented to the Condition, and being well pleaſed that all

ſhould

ſhould depend upon his Will, frankly promiſed, that he would not, in any degree, Communicate to any perſon the matter, before he had taken, and communicated to Them his Own reſolutions.

The Prince Propoſes his Journey to his Father.

The Prince then, upon his knees declared his Suit and very importunate Requeſt, the Duke ſtanding a long time by, without ſaying a word, while the King diſcourſed the whole matter to the Prince, with leſs Paſſion than they expected, and then look'd upon the Duke, as inclined to hear what He would ſay; who ſpoke nothing to the point whether, in prudence, Adviſable or Not; but enlarged upon the infinite Obligation, his Majeſty would confer upon the Prince, by his Yielding to the violent paſſion his Highneſs was tranſported with; and after many exalted expreſſions to that purpoſe, concluded, that he doubted, that his Majeſty, Refuſing to grant the Prince this his humble requeſt, would make a deep Impreſſion upon his ſpirits, and peace of mind; and that he would, he fear'd, look upon it as the greateſt Misfortune and Affliction, that could befal him in this world. The Prince, then taking the opportunity, from the good Temper he ſaw his Father in, to enlarge upon thoſe two Points, which he knew were moſt Important in the King's Own wiſhes and Judgment, That this expedient would put a Quick end to this Treaty, which could not be Continued, after his Arrival in that Court, but that his Marriage muſt preſently enſue, which, he knew well enough, the King did moſt impatiently deſire of all Bleſſings in this world: He ſaid likewiſe, he would undertake (and he could not but be believed from the reaſonableneſs of it) that his Preſence would, in a moment, Determine the Reſtitution of the *Palatinate* to his Brother and Siſter; which was the Second thing, the King longed moſt paſſionately to ſee, before he ſhould leave this world.

King James Conſents to it.

Theſe diſcourſes urged with all the artifice and addreſs imaginable, ſo far wrought upon, and prevail'd with the King, that, with leſs hæſitation, than his Nature was accuſtomed to, and much leſs than was agreeable to his great Wiſdom, he gave his approbation, and promiſed that the Prince ſhould make the journey, he was ſo much inclined to. Whether he did not upon the Suddain comprehend the conſequences, which would Naturally attend ſuch a raſh undertaking, or the leſs conſider'd them, becauſe Proviſions, which muſt be made for ſuch a journey, both with reference to the expence, and ſecurity of it, would take up much time, and could not be done in ſuch a ſecret way, but that the Counſel it ſelf might be Reſumed, when new meaſures ſhould be taken. But this imagination was too reaſonable not to be Foreſeen by them, and ſo they had provided themſelves accordingly. And therefore, as ſoon as they had the King's promiſe upon the main, they told him, the Security of ſuch a deſign depended on the Expedition, without which there could be no Secreſy obſerved or hoped for; That, if it were Deferred, till ſuch a Fleet could be made ready, and ſuch an Equipage prepared as might be fit for the Prince of *Wales*, ſo much time would be ſpent, as would diſappoint the principal Ends of the Journey; If they ſhould ſend for a Paſs to *France*, the Ceremony in the asking and granting it, and that which would flow from it, in his paſſage through that Kingdom, would be, at leaſt, liable to the ſame objection of Delay: beſides that, according to the myſteries and intrigues of State, ſuch a Paſs could not in point of ſecurity be reaſonably Depended upon; And therefore they had thought of an expedient, which would avoid all Inconveniencies and Hazards; and that it ſhould be Executed before it ſhould be Suſpected; that it had never hitherto been, in the leaſt degree, conſulted but between Themſelves (which was really true) and therefore, if they now undertook the Journey only with two ſervants, who ſhould not know any thing till the moment they were to depart) they might eaſily Paſs through *France*, before they ſhould be Miſs'd at *Whitehall*; which was not hard to be conceived, and ſo with the leſs diſquiſition was conſented to by the King; and the farther Deliberation of what was more to be done both in matter, and manner, and the Nomination of the Perſons who ſhould attend them, and the Time of their departure was deferr'd to the conſultation of the next day.

When the King, in his retirement, and by himſelf, came to Revolve what had been ſo looſely conſulted before, as he had a wonderful Sagacity in ſuch Reflections, a thouſand Difficulties and Dangers accurr'd to him, and ſo many Precipices, which could hardly be avoided in ſuch a journey; beſides thoſe conſiderations, which the violent affection of a Father to his only Son, ſuggeſted to him, he thought how ill an influence it might have on his People, too much diſpoſed to murmur and complain of the leaſt Inadvertency; and that they look'd upon the Prince as the

Son

Son of the Kingdom, as well as his Own. He conſider'd the reputation he ſhould loſe with all Forreign Princes (eſpecially if any Ill Accident ſhould happen) by ſo much departing from his Dignity in expoſing the immediate Heir of the Crown, his only Son, to all the Dangers, and all the Jealouſies, which particular Malice, or that fathomleſs abyſs of Reaſon of State, might prepare and contrive againſt him; and then, in how deſperate a condition Himſelf, and his Kingdoms ſhould remain, if the Prince miſcarried by ſuch an unparallel'd weakneſs of his, contrary to the light of his Underſtanding, as well as the current of his Affections.

Theſe Reflections were ſo Terrible to him, that they Robbed him of all Peace and Quiet of Mind; inſomuch as when the Prince, and Duke came to him about the Diſpatch, he fell into a great Paſſion with Tears, and told them, that he was Undone, and that it would break his heart, if they purſued their Reſolution; that upon a true and diſpaſſionate diſquiſition, he had made with Himſelf, he was abundantly convinced, that, beſides the almoſt inevitable Hazards of the Prince's Perſon, with whom his life was bound up, and beſides the entire Loſs of the affections of his People, which would unavoidably attend this raſh action, he foreſaw, it would ruin the whole deſign, and irrecoverably Break the Match. For whereas all thoſe particulars, upon which he could poſitively and of right Inſiſt, were fully Granted (for That, which concern'd the Prince Elector, who had unexcuſably and directly againſt his Adviſe, incurr'd the Ban of the Empire in an Imperial Dyet, muſt be wrought off by Mediation and Treaty, could not be inſiſted on in Juſtice) nor *Spain* make any new Demands, all the Overtures they had made being Adjuſted; The Prince ſhould no ſooner arrive at *Madrid*, than all the Articles of the Treaty ſhould be laid Aſide, and New matter be propoſed, which had not been yet mention'd, and could never be conſented to by him; That the Treaty of this Marriage, how well ſoever received, and how much ſoever deſired by the King, and his chief Miniſters, was, in no degree, acceptable to the *Spaniſh* Nation in general, and leſs to the Court of *Rome*, where, though the new Pope ſeem'd more inclined to grant the Diſpenſation than his Predeceſſor had been, it was plain enough, that it proceeded only from the apprehenſion he had to Diſpleaſe the King of *Spain*, not that he was leſs averſe from the Match, it having been aways believed both in *Spain*, and in *Rome*, that this Marriage was to be attended with a full Repeal of all the Penal Laws againſt the Papiſts, and a plenary Toleration of the exerciſe of that Religion in *England*, which they now ſaw concluded without any ſignal or real Benefit, or Advantage to them. And therefore they might expect, and be confident, that when they had the Perſon of the Prince of *Wales* in their hands, the King of *Spain* (though in his own nature and inclinations full of Honour and Juſtice) would be even Compell'd by his Clergy (who had always a great influence upon the Counſels of that Kingdom) and the Importunities from *Rome*, who would tell him, that God had put it now into his hand to advance the Catholick Cauſe, to make new Demands for thoſe of that Religion here; which, though he could never conſent to, would, at beſt, interpoſe ſuch Delays in the Marriage, that he ſhould never live to ſee it brought to paſs, nor probably to ſee his Son return again from *Spain*. Then he put the Duke in mind (whom he hitherto believed only to comply with the Prince, to Oblige him, after a long alienation from his Favour) how inevitable his Ruin muſt be, by the effect of this Counſel, how Ungracious he was already with the People, and how many Enemies he had, amongſt the greateſt Perſons of the Nobility, who would make ſuch uſe of this occaſion, that it would not be in his Majeſty's power to Protect him. And then he concluded with the Diſorder and Paſſion, with which he begun, with Sighs and Tears, to conjure them, that they would no more preſs him to give his conſent to a Thing, ſo contrary to his Reaſon, and Underſtanding, and Intereſt, the execution whereof would break his heart, and that they would give over any further purſuit of it.

The Prince and the Duke took not the pains to anſwer any of the Reaſons his Majeſty had inſiſted on; his Highneſs only putting him in mind of the Promiſe he had made to him the day before, which was ſo Sacred, that he hoped he would not Violate it; which if he ſhould, it would make him never think more of Marriage. The Duke, who better knew, what kind of arguments were of Prevalence with him, treated him more Rudely, told him, No body could Believe any thing he Said, when he retracted ſo ſoon the promiſe he had ſo ſolemnly made; that he plainly diſcern'd, that it proceeded from another Breach of his Word, in communicating with ſome Raſcal, who had furniſhed him with thoſe Pittyful Reaſons he

had alledg'd, and he doubted not but he ſhould hereafter know who his Counſellor had been; That if he receded from what he had promiſed, it would be ſuch a Diſobligation to the Prince, who had ſet his heart now upon the journey, after his Majeſty's Approbation, that he could never forget it, nor forgive any Man who had been the Cauſe of it.

The Prince, who had always expreſs'd the higheſt Duty and Reverence towards the King, by his humble and importunate Entreaty, and the Duke, by his rougher Dialect, in the end prevailed ſo far (after his Majeſty had paſſionately, and with many Oaths renounced the having communicated the matter with any perſon living) that the Debate was again reſumed upon the journey, which they earneſtly deſir'd might not be deferr'd, but that they might take their Leaves of the King within two days, in which they would have all things ready that were neceſſary, his Highneſs pretending to hunt at *Theobalds*, and the Duke to take Phyſick at *Chelſey*.

They told him, that being to have only two more in their Company, as was before reſolved, they had thought (if he approved them) upon Sr. *Francis Cottington*, and *Endymion Porter*, who, though they might ſafely, ſhould not be truſted with the Secret, till they were even ready to be embarqued. The Perſons were both Grateful to the King, the former having been long his Majeſty's Agent in the Court of *Spain*, and was now Secretary to the Prince; the other having been bred in *Madrid*, after many years attendance upon the Duke, was now one of the Bedchamber to the Prince: So that his Majeſty cheerfully approved the Election they had made, and wiſh'd it might be preſently imparted to them; ſaying that many things would occur to them, as neceſſary to the journey, that they two would never think of; and took that occaſion to ſend for Sr. *Francis Cottington* to come preſently to him, (whilſt the other two remained with him) who being, of cuſtom, waiting in the outward room, was quickly brought in; whilſt the Duke whiſper'd the Prince in the ear, that *Cottington* would be againſt the Journey, and his Highneſs anſwer'd he Durſt not.

The King told him, that he had always been an honeſt Man, and therefore he was now to truſt him in an Affair of the higheſt Importance, which he was not, upon his life to Diſcloſe to any man alive; then ſaid to him, *Cottington* here is Baby *Charles*, and *Stenny* (an appellation he always uſed, of and towards the Duke) who have a great mind to go by Poſt into *Spain*, to fetch home the Infanta, and will have but two more in their Company, and have choſen you for one. What think you of the journey? (He often proteſted ſince, that, when he heard the King, he fell into ſuch a trembling, that he could hardly ſpeak. But when the King Commanded him to anſwer him, what he thought of the journey) he replyed that he could not think well of it, and that he believ'd, it would render all that had been done towards the Match, Fruitleſs: For that *Spain* would no longer think themſelves obliged by thoſe Articles, but that, when they had the Prince in their hands they would make new Overtures, which they believ'd more Advantagious to them, amongſt which they muſt look for many, that would concern Religion, and the Exerciſe of it in *England*. Upon which the King threw himſelf upon his bed, and ſaid, I told you this before, and fell into new Paſſion, and Lamentation, that he was undone, and ſhould loſe Baby *Charles*.

There appear'd Diſpleaſure and Anger enough in the Countenances both of the Prince and Duke; the latter ſaying that, as ſoon as the King ſent for him, he whiſper'd the Prince in the ear, that he would be againſt it; that he knew his Pride well enough, and that, becauſe he had not been firſt adviſed with, he was reſolv'd to diſlike it; and therefore he reproach'd *Cottington* with all poſſible bitterneſs of Words, told him the King asked him only of the Journey, and which would be the beſt Way, of which he might be a competent Counſellour, having made the way ſo often by Poſt; but that he had the preſumption to give his advice upon Matter of State, and againſt his Maſter, without being call'd to it, which he ſhould repent as long as he liv'd; with a thouſand new Reproaches, which put the poor King into a new Agony, on the behalf of a Servant, who he foreſaw would ſuffer for anſwering him honeſtly. Upon which he ſaid, with ſome commotion, Nay, by God *Stenny*, you are very much to blame to uſe him ſo; he anſwer'd me directly to the queſtion I ask'd him, and very Honeſtly and Wiſely: And yet you know he ſaid no more, than I told you, before he was call'd in. However, after all this paſſion on both parts, the King yielded; and the journey was at that Conference agreed on, and all directions given accordingly, to Sr. *Francis Cottington*; the King having now plainly

plainly diſcover'd, that the whole Intrigue was originally contriv'd by the Duke, and ſo violently purſu'd by his Spirit and Impetuoſity.

The manner, circumſtances, and concluſion of that voyage, with the extraordinary Accidents that happen'd in it, will no doubt be at large remember'd by whoſoever ſhall have the courage to write the Tranſactions of that Time, with that Integrity he ought to do: In which it will manifeſtly appear, how much of the Prophet was in the wiſdom of the King; and that that deſign'd Marriage, which had been ſo many years in Treaty, even from the death of Prince *Harry*, and ſo near concluded, was ſolely broken by that Journey, which with the paſſages before mention'd, King *James* never forgave the Duke of *Buckingham*; but retain'd as ſharp a memory of it, as his Nature could contain.

This Indiſpoſition of the King towards the Duke was exceedingly encreaſed, and aggravated, upon and after the Prince's return out of *Spain*. For though it brought infinite Joy and Delight to his Majeſty, which he expreſs'd in all imaginable Tranſport, and was the argument of the loudeſt, and moſt univerſal rejoycing over the whole Kingdom, that the Nation had ever been acquainted with; in which the Duke had ſo full a Harveſt, that the Imprudence, and Preſumption (to ſay no more) of carrying the Prince into *Spain* was totally forgotten, or not remembred with any Reference to him, and the high Merit and ineſtimable Obligation in bringing him Home, was Remembred, Magnified, and Celebrated by all Men in all Places; yet the King was wonderfully diſquieted, when he found (which he had not before their Return, ſuſpected) that the Prince was totally Aliened from all thoughts of, or inclination to the Marriage, and that they were reſolv'd to break it with, or without his Approbation, or Conſent. And in this the Duke reſumed the ſame Impetuoſity, he had ſo much indulged to himſelf in the Debate of the Journey into *Spain*.

A Parliament is call'd after the Prince's Return.

The King had, upon the Prince's Return, iſſued out Writs to call a Parliament, which was in the 21ſt year of his Reign, thinking it neceſſary, with relation to the perplexities he was in, for the Breach of this Match with *Spain* (which he foreſaw muſt enſue) and the ſad Condition of his only Daughter in *Germany*, with her numerous Iſſue, to receive their grave Advice. By the time the Parliament could meet, the Prince's intire Confidence being repoſed ſtill in the Duke, as the King's ſeem'd to be, the Duke had wrought himſelf into the very great Eſteem, and Confidence of the principal Members of both Houſes of Parliament, who were moſt like to be the Leading Men, and had all a deſire to have as much Reputation in the Court, as they had in the Country. It was very reaſonably thought neceſſary, that as the King would, at the opening of the Parliament, make mention of the Treaty with *Spain*, and more at large of his Daughter's being driven out of the *Palatinate*, which would require their Aſſiſtance and Aid; ſo that the Prince, and Duke ſhould afterwards to one, or both Houſes, as occaſion ſhould be offer'd, make a Relation of what had paſt in *Spain*, eſpecially concerning the *Palatinate*: That ſo the Houſes being put into ſome Method and Order of their future Debate, they might be more eaſily regulated, than if they were in the beginning left to that Liberty, which they naturally affected, and from which they wou'd not be reſtrain'd, but in ſuch a manner as would be grateful to themſelves.

Things being thus concerted, after the Houſes had been three or four days together (for in that time, ſome days were always ſpent in the Formality of naming Committees, and providing for common Occurrences, before they made an entrance upon more ſolemn Debates) the Prince began to ſpeak of the *Spaniſh* Affairs, and of his own Journey thither, and forgot not to mention the Duke with more than ordinary Affection. Whereupon it was thought fit, that the whole Affair, which was likewiſe to be the principal Subject Matter of all their Conſultations, ſhould be ſtated and enlarged upon, in a Conference between the two Houſes, which his Highneſs, and the Duke were deſired to manage. How little notice ſoever any body elſe could take of the Change, the Duke himſelf too well knew the hearty reſentment, the King had of what had paſs'd, and the Affection he ſtill had for the *Spaniſh* Treaty: and therefore he had done, and reſolv'd ſtill to do, all he could, to make himſelf grateful to the Parliament; and popular amongſt the People; who he knew had always deteſted the Match with *Spain*, or in truth any Alliance with that Nation.

The Prince and the Duke's Account of the journey at a Conference between both Houſes.

So when, at the Conference, the Prince had made a ſhort Introduction to the buſineſs, and ſaid ſome very kind things of the Duke, of his wonderful Care of him, whilſt he was in *Spain*, and the great Dexterity he uſed in getting him away; he referr'd the whole Relation to Him: Who ſaid, 'That the true Ground of the Prince's

'Prince's Journey into *Spain*, which, he well knew, had begot ſuch a terrible 'panting in the hearts of all good Engliſh-men, had been only to make a clear diſco-'very of the Sincerity of the Spaniard, and, if his intentions were real, to put a 'ſpeedy End to it by marrying of the Lady upon the place; if he found it other-'wiſe, to put his Father, and Himſelf at liberty to diſpoſe of Himſelf in ſome o-'ther place. That the Embaſſador, in whoſe hands that great Affair was ſolely 'managed, when, in one Diſpatch, he writ that all was Concluded, in the next, 'uſed to give an account of new Difficulties, and new Demands; And when all 'things were Adjuſted at *Madrid*, ſome unexpected Scruples diſcover'd themſelves 'at *Rome*, with which the Councils in *Spain* ſeem'd to be ſurprized, and appear'd 'to be confounded, and not to know what to ſay. Theſe Ebbs, and Floods made 'the Prince apprehend, that the purpoſe was to amuſe Us, whilſt They had other 'Deſigns in ſecret agitation. And thereupon, that his Highneſs had prevail'd with 'his Father (how unwilling ſoever) to permit him to make the Journey, that he 'might make that uſeful Diſcovery, which could not otherwiſe be made in any 'ſeaſonable time,

'That they no ſooner came to *Madrid*, than they diſcover'd (though the Prince 'was treated with all the Reſpect due to his Greatneſs, and the Obligation, he had 'laid upon that Nation) that there had never been any real purpoſe that the In-'fanta ſhould be given to him: That, during ſo long an abode, as his Highneſs 'made there, they had never procured the Diſpenſation from *Rome*, which they 'might eaſily have done: And that at laſt, upon the death of the Pope, *Gregory* 'the 15th, the whole Proceſs was to begin again, and would be tranſacted with 'the Formalities, which they ſhould find neceſſary to their other affairs. That, 'inſtead of proceeding upon the Articles, which had been pretended to be Con-'cluded, they urged nothing but New demands; and in matters of Religion ſo 'peremptorily, that the principal Clergy-men, and the moſt eminent of that King's 'Preachers, had frequent Conferences with the Prince, to perſwade him to change 'his Religion, and become a Papiſt. And in order to move him the more ſuc-'ceſsfully thereunto, they procured the Pope to write a Letter himſelf to his High-'neſs, putting him in mind of the Religion of his Anceſtors, and Progenitors, 'and conjuring him to Return to the ſame Faith; but that it had pleaſed God not 'only to give the Prince a conſtant, and unſhaken Heart in his Religion, but ſuch 'wonderful abilities to Defend the ſame in his Diſcourſe, and Arguments, that 'they ſtood amazed to Hear him, and upon the matter confeſs'd that they were 'not able to Anſwer him.

'That they would not ſuffer the Prince to confer with, or ſo much as to ſpeak 'to, hardly, and very rarely to ſee his Miſtriſs, whom they pretended he ſhould 'forthwith marry. That they could never obtain any better anſwer in the buſineſs 'of the *Palatinate*, than that the Reſtoring it was not in the power of that King, 'though it had been taken by the ſole power of *Spain*, and the *Spaniſh* Army, 'under the Command of the Marquis *Spinola*, who was then in the entire Poſ-'ſeſſion of it; but that his Catholick Majeſty would uſe his Interpoſition, with 'all the credit he had with the Emperor, and Duke of *Bavaria*, without whoſe 'joint conſent it could not be done, and whoſe conſent he hoped to obtain; but 'that He was well aſſured, that there was no more real intention in that point of 'Reſtitution, than in the other of Marriage; and that the *Palatinate* could not be 'hoped to be recovered any other way than by Force, which would eaſily bring 'it to paſs.

Throughout his whole diſcourſe he made frequent Reflections upon the Earl of *Briſtol*, as if he very well knew the Spaniards purpoſes in the whole, and concur'd with them in it. 'That he was ſo much troubled, when he firſt ſaw the Prince, 'who alighted at his houſe, that he could not contain himſelf, but wiſh'd that his 'Highneſs were at Home again: That he had afterwards, when he found that his 'Highneſs liked the Infanta, perſwaded him in private that he would become a 'Papiſt; and that without changing his Religion it would not be poſſible ever to 'compaſs that Marriage.

He told them, 'That the King had ſent for the Earl to return Home, where he 'ſhould be call'd to account for all his Miſcarriages. Whereas in truth the King had recall'd him rather to aſſiſt him againſt the Duke, than to expoſe him to his malice, and fury; his Majeſty having a great eſteem of that Earl's Fidelity to him, and of his great Abilities.

The

The Conference ended in a wonderful Applauſe in both Houſes of the Prince, and Duke's behaviour, and carriage throughout the Affair, and in a haſty reſolution to Diſſwade the King from entertaining any farther motions towards the Match, and frankly and reſolutely to enter into a War with *Spain*; towards the carrying on of which they raiſed great mountains of Promiſes, and prevailing in the Firſt, never remembred to make good the Latter; which too often falls out in ſuch Counſels.

The Parliaments Reſolution upon it to declare a War with Spain.

When King *James* was inform'd of what the Duke had ſo confidently avow'd, for which he had not authority, or the leaſt direction from him; and a great part whereof himſelf knew to be untrue; and that he had adviſed an utter Breach of the Treaty, and to enter upon a War with *Spain*, he was infinitely offended; ſo that he wanted only a reſolute, and brisk Counſellor to aſſiſt him in deſtroying the Duke: and ſuch a one he promiſed himſelf in the arrival of the Earl of *Briſtol*, whom he expected every day.

King James's *Perplexities, and Diſpleaſure againſt the Duke upon that occaſion.*

His Majeſty had another Exception againſt the Duke, which touch'd him as near, and in which he enlarged himſelf much more. *Lionel Cranfeild*, who (though extracted from a Gentleman's family) had been bred in the City, and being a man of great wit and underſtanding in all the myſteries of Trade, had found means to work himſelf into the good opinion, and favour of the Duke of *Buckingham*; and having ſhortly after married a near Relation of the Dukes, with wonderful expedition was made a Privy-Counſellor, Maſter of the Wardrobe, Maſter of the Wards, and without parting with any of theſe, was now become Lord high Treaſurer of *England*, and Earl of *Middleſex*, and had gain'd ſo much Credit with the King (being in truth a man of great parts and notable dexterity) that, during the Duke's abſence in *Spain*, he was not only negligent in the iſſuing out ſuch ſums of money, as were neceſſary for the defraying thoſe unlimited Expences; and to correſpond with Him with that deference he had uſed to do, but had the courage to diſpute His commands, and to Appeal to the King, whoſe ear was always inclined to him, and in Whom he begun to believe himſelf ſo far faſtened, that he ſhould not ſtand in need of the future ſupport of the Favourite. And of all this the Duke could not be without ample information, as well from his own creatures, who were near enough to obſerve; as from others, who, caring for Neither of them, were more ſcandalized at ſo precipitate a Promotion of a Perſon of Such an Education, and whom they had known ſo Much their Inferior, though it could not be denied, that he Fill'd the Places he held, with great abilities.

The Earl of Middleſex *his Riſe, and Fall.*

The Duke no ſooner found the Parliament diſpoſed to a good opinion of him, and being well aſſured of the Prince's faſt kindneſs, than he projected the Ruin of this bold Rival of his; of whom he ſaw clearly enough, that the King had ſo good an opinion, that it would not be in his ſole power to cruſh Him, as he had done others, in the ſame, and as high a ſtation. And ſo he eaſily procured ſome Leading Men in the Houſe of Commons, to cauſe an Impeachment for ſeveral Corruptions and Miſdemeanours to be ſent up to the Houſe of Peers againſt that great Miniſter, whom they had ſo lately known their Equal in that Houſe; which (beſides their natural Inclination to that kind of Correction) diſpoſed them with great alacrity to this Proſecution. The wiſe King knew well enough the Ill Conſequence, that muſt attend Such an activity; and that it would ſhake his Own Authority in the Choice of his Own Miniſters, when they ſhould find, that their Security did not depend ſolely upon his Own Protection: Which Breach, upon his Kingly power, was ſo much without a Preſident (except one unhappy one made three years before, to gratify likewiſe a Private diſpleaſure) that the like had not been practiſed in very many years.

When this Proſecution was firſt enter'd upon, and that the King clearly diſcern'd it was contrived by the Duke, and that he had likewiſe prevail'd with the Prince to be well pleaſed with it; his Majeſty ſent for them, and, with much warmth and paſſion, diſſwaded them from appearing Farther in it; and conjured them 'to uſe 'all their intereſt and authority to reſtrain it, as ſuch a Wound to the Crown, that 'would not be eaſily healed. And when he found the Duke unmov'd by all the conſiderations, and arguments, and commands, he had offer'd, he ſaid, in greater choler, 'By God *Stenny* you are a Fool, and will ſhortly repent this folly, and will 'find, that, in this Fit of popularity, you are making a Rod, with which you will 'be ſcourged your ſelf: And turning in ſome anger to the Prince, told him, 'That 'he would live to have his belly full of Parliament Impeachments: and when I

'ſhall be dead, you will have too much cauſe to remember, how much you have 'contributed to the Weak'ning of the Crown, by the Two Preſidents, you are 'Now ſo fond of, intending as well the Engaging the Parliament in the War, as the Proſecution of the Earl of *Middleſex*.

But the Duke's power (ſupported by the Prince's countenance) was grown ſo great in the two Houſes, that it was in vain for the King to interpoſe; and ſo (notwithſtanding ſo good a Defence made by the Earl, that he was abſolv'd from any notorious crime, by the impartial opinion of many of thoſe, who heard all the Evidence) he was at laſt condemn'd in a great Fine, to a long, and ſtrict Impriſonment, and Never to ſit in Parliament during his life: a clauſe of ſuch a nature as was never before found in any Judgment of Parliament, and, in truth, not to be inflicted upon any Peer but by Attainder.

How much alienated ſoever the King's affection was in truth from the Duke, upon theſe three Provocations; (1) The Prince's journey into *Spain*; (2) The Engaging the Parliament to break the Match, and Treaty with *Spain*, and to make a War againſt that Crown; and (3) The ſacrificing the Earl of *Middleſex* in ſuch a manner, upon his Own animoſity; yet he was ſo far from thinking fit to Manifeſt it (except in whiſpers to very few men) that he was prevail'd with to reſtrain the Earl of *Briſtol* upon his firſt arrival, without permitting him to come into his Preſence, which he had poſitively promiſed, and reſolv'd to do; and in the end ſuffer'd his Attorney General to exhibite a charge of High Treaſon, in his Majeſty's name, againſt the ſaid Earl, who was thereupon committed to the Tower; but ſo little dejected with it, that he anſwer'd the Articles with great ſteddyneſs, and unconcernedneſs, and exhibited another charge of High Treaſon againſt the Duke, in many particulars.

The Earl of Briſtol *Accuſed in Parliament.*

Accuſes the Duke.

And in this Order, and Method the War was haſtily entred into againſt *Spain*, and a new Treaty ſet on foot for the Prince of *Wales* with the Daughter of *France*; which was quickly Concluded, though not fully Compleated till after the death of King *James*; who in the Spring following, after a ſhort indiſpoſition by the Gout, fell into an Ague, which meeting many humours in a fat, unweildy body of 58 years old, in four or five Fits, carried him out of the world. After whoſe death many ſcandalous, and libellous Diſcourſes were raiſed, without the leaſt colour, or ground; as appear'd upon the ſtricteſt, and moſt malicious Examination, that could be made, long after, in a time of Licence, when no body was afraid of offending Majeſty, and when proſecuting the higheſt Reproaches, and Contumelies againſt the Royal Family was held very meritorious.

K. James *dies.*

Prince Charles *ſucceeds him, the Duke continuing in Favour.*

Upon the Death of King *James*, *Charles* Prince of *Wales* ſucceeded to the Crown, with as univerſal a Joy in the People, as can be imagin'd, and in a Conjuncture, when all the other Parts of *Chriſtendom*, being engag'd in War, were very ſollicitous for his Friendſhip; and the more, becauſe he had already diſcover'd an Activity, that was not like to ſuffer him to ſit ſtill. The Duke continued in the ſame Degree of Favour, at the leaſt with the Son, which he had enjoyed ſo many years under the Father. A rare Felicity! ſeldom known, and in which the expectation of very many was exceedingly diſappointed; who knowing the great Jealouſy, and Indignation, that the Prince had heretofore conceiv'd againſt the Duke, for having been once very near ſtriking him, expected that he would now remember that Inſolence, of which he then ſo often complain'd; without conſidering the Opportunity the Duke had, by the Converſation with the Prince, during his Journey into *Spain* (which was ſo grateful to him) and whilſt he was there, to wipe out the Memory of all former Overſights, by making them appear to be of a leſs Magnitude, than they had been underſtood before, and to be excuſable from other Cauſes, ſtill being ſevere enough to himſelf, for his unwary Part, whatſoever excuſes he might make for the Exceſs: and by this means make new Vows for himſelf, and to ty new Knots to reſtrain the Prince from future Jealouſies. And it is very true, his hopes in this kind never fail'd him; the new King from the Death of the old, even to the death of the Duke himſelf, diſcovering the moſt intire Confidence in, and even Friendſhip to him, that ever King had ſhewed to any Subject: All Preferments in Church and State given by him; all his Kindred, and Friends promoted to the degree in Honour, or Riches, or Offices, that he thought fit, and all his Enemies and Envyers diſcountenanced, as he appointed.

King Charles's *Firſt Parliament call'd.*

But a Parliament was neceſſary to be call'd, as at the entrance of all Kings to the Crown, for the continuance of ſome Supplies and Revenue to the King, which have been

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ſtill uſed to be granted in that Seaſon. And now he quickly found how Prophetick the laſt King's Predictions had proved, and were like to prove. The Parliament, that had ſo raſhly advanced the War, and ſo paſſionately adhered to his Perſon, was now no more; and though the Houſe of Peers conſiſted ſtill of the ſame Men, and moſt of the principal Men of the Houſe of Commons were again elected to ſerve in this Parliament, yet they were far from wedding the War, or taking themſelves to be concern'd to make good any Declaration made by the former: So that though the War was entred In, all hope of obtaining Money to carry it On was even deſperate; and the affection, they had for the Duke, and confidence in him was not then ſo manifeſt as the Prejudice, they had now, and animoſity againſt him was viſible to all the World. All the Actions of his life rip'd up, and ſurvey'd, and all malicious Gloſſes made upon all he had ſaid, and all he had done: Votes and Remonſtrances paſs'd againſt him as an Enemy to the Publick; and his ill Management made the ground of their Refuſal to give the King that Supply, he had reaſon to expect, and was abſolutely neceſſary to the ſtate he was in. And this kind of treatment was ſo ill ſuited to the Duke's great Spirit, which indeed might have eaſily been bowed, but could very hardly be broken, that it wrought contrary effects upon his high mind, and his Indignation, to find himſelf ſo uſed by the ſame Men. For they who flatter'd him moſt before, mention'd him now with the greateſt bitterneſs and acrimony; and the ſame Men, who had call'd him our Saviour, for bringing the Prince ſafe out of *Spain*, call'd him now the Corrupter of the King, and Betrayer of the Liberties of the People, without imputing the leaſt Crime to him, to have been committed ſince the time of that exalted Adulation, or that was not then as much known to them, as it could be now: ſo fluctuating and unſteady a Teſtimony is the Applauſe of popular Councils.

That Parliament and the next diſſolv'd on account of the Duke.

This Indignation, I ſay, ſo tranſported the Duke, that he thought neceſſary to publiſh and manifeſt a greater Contempt of them, than he ſhould have done, cauſing this and the next Parliament to be quickly diſſolv'd, as ſoon as they ſeem'd to entertain Counſels not grateful to him, and before he could well determine, and judge, what their Temper was in truth like to prove: And upon every Diſſolution, ſuch as had given any Offence, were Impriſon'd, or Diſgraced; new Projects were every day ſet on foot for Money, which ſerv'd only to offend, and incenſe the People, and brought little ſupplies to the King's Occaſions; yet raiſed a great ſtock for Expoſtulation, Murmur, and Complaint to be expoſed when other ſupplies ſhould be required. And many Perſons, of the beſt Quality and Condition under the Peerage, were committed to ſeveral Priſons, with Circumſtances unuſual and unheard of, for refuſing to pay Money required by thoſe extraordinary Ways; and the Duke himſelf would paſſionately ſay, and frequently do many things, which only griev'd his Friends, and incenſed his Enemies, and gave them as well the Ability, as the Inclination to do him much harm.

A War declar'd with France.

In this fatal Conjuncture, and after many ſeveral coſtly Embaſſys into *France*, in the laſt of which the Duke himſelf went, and brought triumphantly home with him the Queen to the Joy of the Nation; in a time, when all endeavours ſhould have been uſed to have extinguiſh'd that War, in which the King was ſo unhappily engaged againſt *Spain*, a new War was as precipitately declared againſt *France*, and the Fleet, that had been unwarily deſigned to have ſurprized *Cales*, under a General very unequal to that great Work, was no ſooner return'd without ſucceſs, and with much damage, than it was repair'd, and the Army reinforced for the Invaſion of *France*; in which the Duke was General himſelf, and made that unfortunate Deſcent upon the Iſle of *Ree*, which was quickly afterwards attended with many unproſperous Attempts, and then with a miſerable Retreat; in which the Flower of the Army was loſt. So that how ill ſoever *Spain* and *France* were inclined to each other, they were both bitter enemies to *England*: Whilſt *England* it ſelf was ſo totally taken up with the thought of Revenge upon the Perſon, who they thought had been the Cauſe of their Diſtreſs, that they never conſider'd, that the ſad Effects of it (if not inſtantly provided againſt) muſt inevitably deſtroy the Kingdom: and gave no truce to their Rage, till the Duke finiſh'd his courſe, by a wicked Aſſaſſination in the fourth year of the King, and the thirty ſixth of his Age.

The Aſſaſſination of the Duke of Buckingham.

John *Felton*, an obſcure Man in his own Perſon, who had been bred a Soldier, and lately a Lieutenant of a Foot Company, whoſe Captain had been kill'd upon the Retreat at the Iſle of *Ree*, upon which he conceiv'd that the Company of right ought to have been conferr'd upon him, and it being refuſed to him by the Duke of *Buckingham*,

ingham, General of the Army, had given up his Commiſſion of Lieutenant, and withdrawn himſelf from the Army. He was of a melancholick Nature, and had little Converſation with any Body, yet of a Gentleman's Family, in *Suffolk*, of good Fortune and Reputation. From the time that he had quitted the Army, he reſided in *London*; when the Houſe of Commons tranſported with Paſſion and Prejudice againſt the Duke of *Buckingham*, had accuſed him to the Houſe of Peers for ſeveral Miſdemeanors, and Miſcarriages, and in ſome Declaration had ſtyled him "the "Cauſe of all the Evils, the Kingdom ſuffer'd, and an Enemy to the Publick.

Some Tranſcripts of ſuch Expreſſions (for the late Licence of Printing all mutinous, and ſeditious Diſcourſes was not yet in faſhion) and ſome general Invectives, he met with amongſt the People, to whom that great Man was not grateful, wrought ſo far upon this melancholick Gentleman, that by degrees, and (as he ſaid upon ſome of his Examinations) by frequently hearing ſome popular Preachers in the City (who yet were not arrived at the Preſumption, and Impudence, they have been ſince tranſported with) he believ'd he ſhould do God good ſervice, if he kill'd the Duke; which he ſhortly after reſolv'd to do. He choſe no other Inſtrument to do it with, than an ordinary Knife, which he bought of a common Cutler for a Shilling: and thus provided he repair'd to *Portſmouth*, where he arriv'd the Eve of St. *Bartholomew*. The Duke was then there, in order to prepare and make ready the Fleet, and the Army, with which he reſolv'd in few days to tranſport himſelf to the Relief of *Rochel*, which was then ſtraitly beſieged by the Cardinal *Richelieu*; and for the Relief whereof the Duke was the more obliged, by reaſon that, at his being at the Iſle of *Ree*, he had receiv'd great Supplies of Victuals, and ſome Companies of their Garriſon from that Town, the want of both which they were at this time very ſenſible of, and griev'd at.

This Morning of St. *Bartholomew* the Duke had receiv'd Letters, in which he was advertiſed that *Rochel* had reliev'd it ſelf; upon which he directed that his Breakfaſt might ſpeedily be made ready, and he would make haſt to acquaint the King with the Good News, the Court being then at *Southwick*, the Houſe of Sr. *Daniel Norton*, five Miles from *Portſmouth*. The Chamber, wherein he was dreſſing himſelf, was full of Company, of Perſons of Quality, and Officers of the Fleet and Army.

There was Monſieur *de Soubize*, Brother to the Duke of *Rohan*, and other *French* Gentlemen, who were very ſolicitous for the Imbarkation of the Army, and for the Departure of the Fleet, for the Relief of *Rochel*: and they were at that time in much trouble and perplexity, out of apprehenſion that the news, the Duke had received that morning, might ſlacken the preparations for the Voyage, which their Impatience, and Intereſt perſwaded them were not advanced with expedition; and ſo they had then held much diſcourſe with the Duke of the impoſſibility, that his Intelligence could be true, and that it was contrived by the artifice and dexterity of their Enemies, in order to abate the warmth and zeal, that was uſed for their Relief, the arrival of which Relief thoſe Enemies had ſo much reaſon to apprehend; and a little longer Delay in ſending it would eaſe them of that terrible apprehention, their Forts and Works towards the Sea, and in the Harbour being almoſt finiſh'd.

This diſcourſe, according to the natural cuſtom of that Nation, and by the uſual Dialect of that Language, was held with that Paſſion, and Vehemence, that the ſtanders by, who underſtood not *French*, did believe that they were angry, and that they uſed the Duke rudely. He being ready, and inform'd that his Break-faſt was ready, drew towards the door, where the hangings were held up; and in that very Paſſage turning himſelf to ſpeak with Sr. *Thomas Fryar*, a Colonel of the Army, who was then ſpeaking near his ear, he was on the ſuddain Struck over his ſhoulder upon the Breaſt with a Knife; upon which, without uſing any other words, but, *The Villain hath Kill'd me*; and in the ſame moment pulling out the Knife himſelf, he fell down Dead, the Knife having pierced his Heart.

No man had ſeen the Blow, or the Man who gave it, but in the confuſion, they were in, every man made his own conjecture, and declared it as a thing known; moſt agreeing that it was done by the *French*, from the angry diſcourſe they thought they had heard from Them. And it was a kind of a Miracle, that they were not all Kill'd in that inſtant; the Sober ſort, that preſerv'd them from it, having the ſame opinion of their Guilt, and only reſerving them for a more Judicial Examination and Proceeding.

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In the Crowd near the door there was found upon the ground a Hat, in the inside whereof there was ſow'd upon the crown a Paper, in which were writ four or five lines of that Declaration made by the Houſe of Commons, in which they had ſtyled the Duke an Enemy to the Kingdom; and under it a ſhort Ejaculation or two towards a Prayer. It was eaſily enough concluded that the Hat belong'd to the Perſon, who had committed the Murther: but the difficulty remain'd ſtill as great, Who that perſon ſhould be? for the writing diſcover'd nothing of the Name, and whoſoever it was, it was very natural to believe, that he was gone far enough, not to be found without a Hat.

In this Hurry, one running one way, another another way, a Man was ſeen walking before the door very compoſedly Without a Hat; whereupon one crying out, *Here is the Fellow, that Kill'd the Duke*; upon which others run thither, every body asking, *Which is He? Which is He?* to which the Man without the Hat very compoſedly anſwer'd, *I am He.* Thereupon ſome of thoſe who were moſt Furious, ſuddainly run upon the man, with their drawn ſwords to Kill him; but others, who were at leaſt equally concern'd in the Loſs, and in the Senſe of it, defended him; Himſelf with open arms very calmly and chearfully expoſing himſelf to the Fury and Swords of the moſt enraged, as being very willing to fall a Sacrifice to their ſuddain Anger, rather than to be kept for that deliberate Juſtice, which he knew muſt be executed upon him.

He was now known enough, and eaſily diſcover'd to be that *Felton* whom we mention'd before, who had been a Lieutenant in the Army: He was quickly carryed into a private room by the perſons of the beſt condition, ſome whereof were in Authority, who firſt thought fit ſo far to diſſemble, as to mention the Duke only grievouſly Wounded, but not without hope of Recovery. Upon which *Felton* ſmiled, and ſaid, he knew well enough he had given him a Blow, that had Determin'd all their Hopes. Being then ask'd (which was the diſcovery principally aim'd at) by whoſe Inſtigation he had perform'd that horrid and wicked act; he anſwer'd them with a wonderful aſſurance, 'That they ſhould not trouble themſelves 'in that Enquiry; that no man living had credit or power enough with him to have 'engaged, or diſpoſed him to ſuch an action; that he had never intruſted his pur-'poſe and reſolution to any man; that it proceeded only from himſelf, and the 'impulſe of his own Conſcience; and that the Motives thereunto would appear, if 'his Hat were found, in which he had therefore fix'd them, becauſe he believ'd it 'very probable that he might periſh in the Attempt. He confeſſed that he had 'come to the Town but the night before, and had kept his lodging, that he might 'not be ſeen, or taken notice of: and that he had come that morning to the 'Duke's lodging, where he had waited at the door for his coming out; and when he 'found by the motions within, that he was coming, he drew to the door, as if he 'held up the hanging; and Sir *Thomas Fryar* ſpeaking with the Duke, as hath 'been ſaid, and being of a much lower ſtature than the Duke, who a little inclined 'towards him, he took the opportunity of giving the Blow over His ſhoulders.

He ſpoke very frankly of what he had done, and bore the reproaches of thoſe, who ſpoke to him, with the temper of a man, who thought he had not done amiſs. But after he had been in Priſon ſome time, where he was treated without any rigour, and with humanity enough; and before, and at his Trial, which was about four months after, at the King's-bench Bar, he behaved himſelf with great modeſty and wonderful repentance, being, as he ſaid, convinced in his conſcience, that he had done Wickedly, and ask'd the pardon of the King, the Dutcheſs, and all the Duke's Servants, whom he acknowledg'd to have offended; and very earneſtly beſought the Judges that he might have his hand ſtruck off, with which he had perform'd that impious act, before he ſhould he put to death.

The King's receiving the news of the Duke's death.

The Court was too near *Portſmouth*, and too many Courtiers upon the place, to have this Murther (ſo barbarous in the nature and circumſtances, the like whereof had not been known in *England* many ages) long conceal'd from the King. His Majeſty was at the publick Prayers of the Church, when Sir *John Hippeſly* came into the room, with a troubled countenance, and without any pauſe, in reſpect of the Exerciſe they were performing, went directly to the King, and whiſper'd in his ear what had fall'n out. His Majeſty continued unmov'd, and without the leaſt change in his countenance, till Prayers were ended; when he ſuddainly departed to his chamber, and threw himſelf upon his bed, lamenting with much paſſion, and abundance of tears, the Loſs he had of an excellent Servant, and the horrid manner,

in which he had been deprived of him : and he continued in this melancholick diſcompoſure of mind many days.

Yet his manner of receiving the news in Publick, when it was firſt brought him in the preſence of ſo many (who knew or ſaw nothing of the paſſion he expreſs'd upon his retreat,) made many men believe, that the accident was not very ungrateful ; at leaſt, that it was very indifferent to him; as being rid of a Servant very ungracious to the People, and the prejudice to whoſe Perſon exceedingly obſtructed all overtures made in Parliament for his ſervice.

And, upon this obſervation, Perſons of all conditions took great licence in ſpeaking of the perſon of the Duke, and diſſecting all his infirmities, believing they ſhould not thereby incur any diſpleaſure of the King's. In which they took very ill meaſures; for from that time almoſt to the time of his own death, the King admitted very few into any degree of Truſt, who had ever diſcover'd themſelves to be Enemies to the Duke, or againſt whom he had manifeſted a notable prejudice. And ſure never any Prince expreſs'd a more lively regret for the Loſs of a Servant, than his Majeſty did for this great Man, in his conſtant favour and kindneſs to his Wife and Children ; in all offices of grace towards his Servants; and in a wonderful ſollicitous care for the Payment of his Debts ; which, it is very true, were Contracted for his Majeſty's ſervice; though in ſuch a manner, that there remain'd no evidence of it, nor were any of the Duke's Officers intruſted with the knowledge of it, nor any record kept of it, but in the King's own generous memory.

A Character of the Duke. This great man was a Perſon of a Noble nature, and Generous diſpoſition, and of ſuch other Endowments, as made him very capable of being a great Favourite to a great King. He underſtood the Arts of a Court, and all the Learning that is profeſs'd There exactly well. By long practiſe in buſineſs, under a Maſter that diſcourſed excellently, and ſurely knew all things wonderfully, and took much delight in Indoctrinating his young unexperienced Favourite, who, he knew, would be always look'd upon as the Workmanſhip of his Own hands, He had obtain'd a quick conception, and apprehenſion of Buſineſs, and had the habit of Speaking very gracefully, and pertinently. He was of a moſt flowing Courteſy and Affability, to all men who made any addreſs to him; and ſo deſirous to Oblige them, that he did not enough conſider the Value of the obligation, or the Merit of the perſon he choſe to oblige ; from which, much of his Misfortune reſulted. He was of a Courage not to be daunted, which was manifeſted in all his Actions, and in his Conteſts with particular perſons of the greateſt reputation; and eſpecially in his whole demeanour at the Iſle of *Ree*, both at the Landing, and upon the Retreat ; in both which no man was more fearleſs, or more ready to expoſe himſelf to the higheſt dangers. His Kindneſs, and Affection to his Friends was ſo vehement, that they were as ſo many marriages for better and worſe, and ſo many leagues offenſive and defenſive ; as if he thought himſelf obliged to love all his Friends, and to make war upon all they were angry with, let the cauſe be what it would. And it cannot be denied, that he was an Enemy in the ſame exceſs ; and proſecuted thoſe he look'd upon as his Enemies, with the utmoſt rigour and animoſity ; and was not eaſily induced to reconciliation. And yet there were ſome examples of his receding in that particular. And when he was in the higheſt paſſion, he was ſo far from ſtooping to any Diſſimulation, whereby his diſpleaſure might be conceal'd and cover'd, till he had attain'd his revenge, (the low method of Courts) that he never endeavour'd to do any man an ill office, before he firſt told him what he was to expect from him, and reproach'd him with the injuries he had done, with ſo much generoſity, that the perſon found it in his power to receive further ſatisfaction, in the way he would chooſe for himſelf.

In this manner he proceeded with the Earl of *Oxford*, a man of great Name in that time, and whom he had endeavour'd by many civil offices to make his Friend, and who ſeem'd equally to incline to the Friendſhip : when he diſcover'd (or as many thought but ſuſpected) that the Earl was enter'd into ſome Cabal in Parliament againſt him; he could not be diſſwaded by any of his Friends, to whom he imparted his reſolution, but meeting the Earl the next day, he took him aſide, and after many reproaches for ſuch and ſuch ill offices, he had done him, and for Breaking his Word towards him, he told him 'he would rely no longer on His 'Friendſhip, nor ſhould He expect any further Friendſhip from him, but on the con-'trary, he would be for ever his Enemy, and do him all the miſchief he could. The Earl, (who, as many thought, had not been Faulty towards him, was as Great-

hearted

hearted as he, and thought the very ſuſpecting him to be an injury unpardonable) without any reply to the particulars, declared " that he neither cared for his Friendſhip, " nor feared his Hatred; and from thence avowedly, entered into the converſation, and confidence of thoſe, who were always awake to diſcover, and ſollicitous to purſue any thing, that might prove to his Diſadvantage; which was of evil conſequence to the Duke, the Earl being of the moſt ancient of the Nobility, and a man of great Courage and of a Family, which had in no time ſwerv'd from its Fidelity to the Crown.

Sir *Francis Cottington*, who was Secretary to the Prince and not grown Courtier enough to diſſemble his opinion, had given the Duke Offence, before his Journey into *Spain*, as is before touch'd upon, and improved that prejudice after his coming thither, by diſpoſing the Prince all he could to the Marriage of the Infanta; and by his behaviour after his return, in juſtifying to King *James*, who had a very good opinion of him, the Sincerity of the *Spaniard* in the Treaty of the Marriage, " that " they did in truth deſire it, and were fully reſolv'd to gratify his Majeſty in the Buſi- " neſs of the *Palatinate*, and only deſired in the manner of it, to gratify the Em- " peror, and the Duke of *Bavaria* all they could, which would take up very little " time. All which being ſo contrary to the Duke's purpoſes and reſolutions, his Diſpleaſure to *Cottington* was ſufficiently manifeſt. And King *James* was no ſooner dead, and the new Officers, and Orders made, but the Profits, and Privileges, which had uſed to be continued to him, who had been Secretary, till ſome other promotion, were all retrench'd. And when he was one Morning attending in the Privy lodgings, as he was accuſtom'd to do, one of the Secretaries of State came to him, and told him, " that it was the King's pleaſure he ſhould no more preſume to come into thoſe rooms; (which was the firſt inſtance, he had receiv'd of the King's Diſfavour) and at the ſame inſtant the Duke entered into that Quarter: Sir *Francis Cottington* addreſs'd himſelf towards him, and deſired " he would give him leave to ſpeak to him; upon which the Duke inclining his ear, moved to a window from the Company; and the other told him " that he receiv'd every day freſh Marks of his Severity; men- " tion'd the Meſſage, which had been then deliver'd to him, and deſired only to know, " Whether it could not be in his power, by all dutiful Application, and all " poſſible Service, to be reſtored to the good Opinion, his Grace had once vouchſafed " to have of him, and to be admitted to Serve him? The Duke heard him, without the leaſt commotion, and with a countenance ſerene enough, and then anſwer'd him, " That he would deal very clearly with him, that it was utterly impoſſible to " bring that to paſs, which he had propoſed: That he was not only firmly reſolved " never to truſt him, or to have to do with him, but that he was, and would be " always his declared Enemy: and that he would do always whatſoever ſhould be in " his power to ruin and deſtroy him, and of this he might be moſt aſſured: without " mentioning any particular ground for his ſo heightned diſpleaſure.

The other very calmly replied to him, (as he was maſter of an incomparable Temper) " That ſince he was reſolv'd never to do him good, he hoped from his Juſtice, " and Generoſity, that he would not ſuffer himſelf to gain by his loſs; That he had " laid out by his command, ſo much money for Jewels and Pictures, which he had " receiv'd: and that, in hope of his future Favour, he had once preſented a Suit " of Hangings to him, which coſt him 800*l.* which he hoped he would cauſe to be " reſtored to him, and that he would not let him be ſo great a Looſer by him. The Duke anſwer'd, " He was in the right; that he ſhould the next Morning go " to *Oliver* (who was his Receiver) and give him a particular account of all the Mo- " ney due to him, and he ſhould preſently pay him; which was done the next Morning accordingly, without the leaſt abatement of any of his demands.

And he was ſo far reconciled to him before his death, that being reſolv'd to make Peace with *Spain*, to the end he might more vigorouſly purſue the War with *France*, (to which his heart was moſt paſſionately fix'd) he ſent for *Cottington* to come to him, and after conference with him, told him, " the King would ſend him " Embaſſadour thither, and that he ſhould attend him at *Portſmouth* for his diſpatch.

His ſingle misfortune was (which indeed was productive of many greater) that he never made a noble, and a worthy Friendſhip with a Man ſo near his equal, that he would frankly adviſe him for his Honour, and true Intereſt, againſt the current, or rather the torrent of his impetuous Paſſions, which was partly the Vice of the Time, when the Court was not repleniſh'd with great choice of excellent Men; and partly the Vice of the Perſons, who were moſt worthy to be applied to, and look'd upon his Youth,

Youth, and his Obſcurity before his riſe, as Obligations upon him to gain their Friend ſhips by extraordinary Application. Then his Aſcent was ſo quick, that it ſeem'd rather a Flight than a Growth, and he was ſuch a Darling of Fortune, that he was at the Top, before he was well ſeen at the Bottom; and as if he had been born a Favourite, he was Supreme the firſt Month he came to Court; and it was want of confidence, not of Credit, that he had not all at firſt, which he obtain'd afterwards, never meeting with the leaſt Obſtruction from his Setting out, till he was as great as he could be: So that he wanted Dependants before he thought he could want Coadjutors. Nor was he very fortunate in the election of thoſe Dependants, very few of his Servants having been ever qualified enough to aſſiſt or adviſe him; and they were intent only upon growing rich under him, not upon their Maſter's growing Good, as as well as Great: Inſomuch as he was throughout his Fortune a much Wiſer man, than any Servant or Friend he had.

Let the Fault or Misfortune be what, or whence it will, it may reaſonably be believ'd that if he had been bleſs'd with one faithful Friend, who had been qualified with Wiſdom and Integrity, that great Perſon would have committed as few Faults, and done as tranſcendent worthy Actions, as any Man, who ſhined in ſuch a Sphere in that Age in *Europe*. For he was of an excellent Diſpoſition, and of a Mind very capable of Advice and Counſel: He was in his Nature juſt and candid, liberal, generous, and bountiful; nor was it ever known, that the temptation of Money ſway'd him to do an unjuſt, or unkind thing. And though he left a very great Eſtate to his Heirs; conſidering the vaſt Fortune, he inherited by his Wife, the ſole Daughter, and Heir of *Francis* Earl of *Rutland*, he owed no part of it to his own Induſtry, or Sollicitation; but to the impatient Humour of two Kings his Maſters, who would make his fortune equal to his Titles, and the one as much above other Men, as the other was. And he conſider'd it no otherwiſe than as theirs, and left it at his death engaged for the Crown, almoſt to the value of it, as is touch'd upon before.

If he had an immoderate Ambition, with which he was charged, and is a Weed (if it be a Weed) apt to grow in the beſt Soils; it doth not appear that it was in his Nature, or that he brought it with him to the Court, but rather found it there, and was a Garment neceſſary for that Air. Nor was it more in his power to be without Promotion, and Titles and Wealth, than for a healthy man to ſit in the Sun, in the brighteſt Dog-days, and remain without any warmth. He needed no Ambition, who was ſo ſeated in the hearts of two ſuch Maſters.

There are two particulars, which ly heavieſt upon his Memory, either of them aggravated by Circumſtances very important, and which adminiſter frequent Occaſions by their Effects to be remembered.

The Firſt, his engaging his old unwilling Maſter and the Kingdom in the War with *Spain* (not to mention the bold Journey thither, or the Breach of that Match) in a time when the Crown was ſo poor, and the People more inclin'd to a bold Enquiry. How it came to be ſo, than dutiful to provide for its Supply: And this only upon Perſonal Animoſities between him, and the Duke of *Olivarez*, the ſole Favourite in that Court, and thoſe Animoſities from very trivial Provocations, which flowed indeed from no other Fountain, than that the Nature and Education of *Spain* reſtrain'd men from that Gayety, and Frolique humour, to which the Prince's Court was more inclined. And *Olivarez* had been heard to cenſure very ſeverely the Duke's Familiarity, and Want of Reſpect towards the the Prince (a Crime monſtrous to the *Spaniard*) and had ſaid, that "if the Infanta did not ſo ſoon as ſhe was married "Suppreſs that Licence, ſhe would her Self quickly undergo the Miſchief of it: Which gave the firſt alarum to the Duke to apprehend his own Ruin in that Union, and accordingly to uſe all his Endeavours to break and prevent it: and from that time he took all occaſions to quarrel with and reproach the Conde Duke.

One Morning the King deſir'd the Prince to take the Air, and to viſit a little Houſe of Pleaſure he had (the *Prado*) four miles from *Madrid*, ſtanding in a Forreſt, where he uſed ſometimes to Hunt; and the Duke not being ready, the King and the Prince and the Infante Don *Carlos* went into the Coach, the King likewiſe calling the Earl of *Briſtol* into that Coach to aſſiſt them in their Converſation, the Prince then not ſpeaking any *Spaniſh*; and left *Olivarez* to follow in the Coach with the Duke of *Buckingham*. When the Duke came, they went into the Coach, accompanied with others of both Nations, and proceeded very cheerfully towards the overtaking the King; but when upon the way he heard, that the Earl of *Briſtol* was in the Coach with

the King, he broke out into a great Paſſion, reviled the Conde Duke as the Contriver of the Affront, reproach'd the Earl of *Briſtol* for his Preſumption, in taking the Place, which in all reſpects belonged to Him, who was join'd with him as Embaſſador extraordinary, and came laſt from the Preſence of his Maſter, and reſolv'd to go out of the Coach and return to *Madrid*. *Olivarez* eaſily diſcover'd by the diſorder, and the noiſe, and the tone, that the Duke was very Angry, without comprehending the Cauſe of it; Only found that the Earl of *Briſtol* was often named with Such a tone, that he begun to ſuſpect what in truth might be the cauſe. And thereupon he commanded a Gentleman, who was on Horſeback, with all ſpeed to overtake the King's Coach, and deſire that it might ſtay; intimating that the Duke had taken ſome Diſpleaſure, the ground whereof was not enough underſtood. Upon which the King's Coach ſtay'd, and when the other approach'd within diſtance, the Conde Duke alighted, and acquainted the King with what he had obſerv'd, and what he conceiv'd. The King himſelf alighted; made great Compliments to the Duke, the Earl of *Briſtol* Excuſing himſelf upon the King's Command, that he ſhould ſerve as Interpreter. In the end Don *Carlos* went into the Coach with the Favourite, and the Duke and the Earl of *Briſtol* went with the King, and the Prince; and ſo they proſecuted their journey, and after Dinner return'd in the ſame manner to *Madrid*.

This with all the Circumſtances of it adminiſtred wonderful occaſion of Diſcourſe in the Court and Country, there having never been ſuch a Comet ſeen in that Hemiſphere; their ſubmiſs Reverence to their Princes being a vital part of their Religion.

There were very few days paſs'd afterwards, in which there was not ſome manifeſtation of the higheſt Diſpleaſure, and Hatred in the Duke againſt the Earl of *Briſtol*. And when the Conde Duke had ſome eclairciſment with the Duke, in which he made all the Proteſtations of his ſincere Affection, and his deſire to maintain a clear, and faithful Friendſhip with him, which he conceiv'd might be, in ſome degree, uſeful to both their Maſters: the Other receiv'd his Proteſtations with all Contempt, and declared, with a very unneceſſary frankneſs, 'that he would have 'no Friendſhip with him.

The next day after the King return'd from accompanying the Prince towards the Sea, where, at parting, there were all poſſible demonſtrations of mutual Affection between them; the King cauſed a fair Pillar to be erected in the Place, where they Laſt embraced each other, with Inſcriptions of great Honour to the Prince; there being then in that Court not the leaſt Suſpition, or Imagination, that the Marriage would not Succeed. Inſomuch that afterwards, upon the news from *Rome* that the Diſpenſation was granted, the Prince having left the Deſponſorios in the hands of the Earl of *Briſtol*, in which the Infante Don *Carlos* was conſtituted the Prince's Proxy to Marry the Infanta on his behalf; She was treated as Princeſs of *Wales*, the Queen gave her place, and the *Engliſh* Embaſſador had frequent Audiences, as with his Miſtreſs, in which he would Not be cover'd: Yet, I ſay, the very next day after the Prince's departure from the King, Mr *Clark*, one of the Prince's Bedchamber, who had formerly ſerv'd the Duke, was ſent back to *Madrid*, upon Pretence that ſomewhat was forgotten there, but, in Truth, with orders to the Earl of *Briſtol* not to deliver the Deſponſorios (which by the Articles, he was obliged to do within fifteen days after the arrival of the Diſpenſation) until he ſhould receive further orders from the Prince, or King, after his Return into *England*.

Mr *Clark* was not to deliver this Letter to the Embaſſador, till he was ſure the Diſpenſation was come; of which he could not be advertiſed in the inſtant. But he lodging in the Embaſſador's Houſe, and falling ſick of a Calenture, which the Phyſicians thought would prove mortal, he ſent for the Earl to come to his Bed-ſide, and deliver'd him the Letter before the arrival of the Diſpenſation, though long after it was known to be granted; upon which all thoſe Ceremonies were perform'd to the Infanta.

By theſe Means, and by this Method, this great Affair, upon which the Eyes of *Chriſtendom* had been ſo long fix'd, came to be Diſſolv'd, without the leaſt mixture with, or contribution from thoſe Amours, which were afterwards ſo confidently diſcourſed of. For though the Duke was naturally carried violently to thoſe Paſſions, when there was any grace or beauty in the Object, yet the Dutcheſs of *Olivarez*, of whom was the talk, was then a Woman ſo old, paſt Children, of ſo abject a preſence, in a word, ſo crooked and deform'd, that ſhe could neither tempt his Appetite, nor magnify his Revenge: And whatſoever he

did afterwards in *England* was but *tueri opus*, and to profecute the Deſign, he had upon the Reaſon, and Provocation aforeſaid, ſo long before contrived during his abode in *Spain*.

The Other particular, by which he involv'd himſelf in ſo many Fatal Intricacies, from which he could Never extricate himſelf, was, his running violently into the War with *France*, without any kind of Provocation, and upon a Particular Paſſion very unwarrantable. In his Embaſſy in *France*, where his Perſon and Preſence was wonderfully admired, and eſteem'd (and in truth it was a Wonder in the eyes of all men) and in which he appear'd with all the Luſtre, the Wealth of *England* could adorn him with, and Outſhined all the bravery that Court could dreſs it ſelf in, and Overacted the whole Nation in their own moſt peculiar Vanities: He had the Ambition to fix his Eyes upon, and to dedicate his moſt violent Affection to a Lady of a very ſublime Quality, and to purſue it with moſt importunate Addreſſes; Inſomuch as when the King had brought the Queen his Siſter, as far as he meant to do, and deliver'd her into the hands of the Duke, to be by him conducted into *England*; The Duke, in his journey, after the departure from that Court, took a reſolution once more to make a Viſit to that great Lady, which he believ'd he might do with much privacy. But it was ſo eaſily diſcover'd, that Proviſion was made for his Reception; and if he had purſued his Attempt, he had been without doubt Aſſaſſinated; of which he had only ſo much notice, as ſerv'd him to decline the Danger. But he Swore, in the inſtant, 'that he would See, and Speak with that Lady, in 'Spight of the Strength and Power of *France*. And from the time that the Queen arrived in *England*, he took all the ways he could to Undervalue and Exaſperate that Court and Nation, by cauſing all Thoſe, who fled into *England* from the juſtice and diſpleaſure of that King, to be receiv'd and entertain'd here not only with ceremony and ſecurity, but with bounty and magnificence; and the more extraordinary the Perſons were, and the more notorious their King's diſpleaſure was towards them (as in that time there were very many Lords, and Ladys in thoſe circumſtances) the more reſpectfully they were receiv'd, and eſteem'd. He omitted no opportunity to Incenſe the King againſt *France*, and to diſpoſe him to aſſiſt the Hugonots, whom he likewiſe encouraged to give their King ſome trouble.

And which was worſe than all this, he took great pains to Leſſen the King's Affection towards his young Queen, being exceedingly jealous, leaſt Her Intereſt might be of force enough to Croſs his other Deſigns: And in this Stratagem, he ſo far ſwerv'd from the Inſtinct of his Nature, and his proper Inclinations, that He who was compounded of all the elements of Affability, and Courteſy towards all kind of People, had brought himſelf to an habit of Neglect, and even of Rudeneſs towards the Queen.

One day, when he unjuſtly apprehended, that She had ſhewed ſome diſreſpect to his Mother, in not going to her Lodging at an hour ſhe had intended to go, and was hindred by a meer accident; he came into her Chamber in much Paſſion, and after ſome Expoſtulations rude enough, he told her, *She ſhould Repent it*; her Majeſty anſwering with ſome quickneſs, he replied Inſolently to her, *that there had been Queens in* England, *who had loſt their Heads*. And it was univerſally known, that, during His life, the Queen never had any Credit with the King, with reference to any Publick Affairs, and ſo could not Divert the Reſolution of making a War with *France*.

The War with *Spain* had found the Nation in a Surfeit of a long Peace, and in a diſpoſition Inclinable enough to war with That Nation, which might put an end to an Alliance the moſt ungrateful to them, and which they moſt fear'd, and from whence no other Damage had yet befall'n them, than a Chargeable and Unſucceſsful Voyage by Sea, without the loſs of Ships or Men. But a War with *France* muſt be carried on at another rate, and expence. Beſides, the Nation was weary and ſurfeited with the Firſt, before the Second was entred upon; and it was very viſible to Wiſe men, that when the general Trade of the Kingdom, from whence the Support of the Crown principally reſulted, ſhould be utterly extinguiſhed with *France*, as it was with *Spain*, and interrupted or obſtructed with all other Places (as it muſt be in a great meaſure, in a War, how Proſperouſly ſoever carried on) the Effects would be very Sad, and Involve the King in many Perplexities; and it could not but fall out accordingly.

Upon the return from *Cales* without ſucceſs, though all the Ships, and, upon the matter, all the Men were ſeen (for though ſome had ſo ſurfeited in the Vineyards,

and

and with the Wines that they had been left behind, the Generosity of the *Spaniards* sent them all home again) and though by that Fleet's putting in at *Plymouth*, near two hundred miles from *London*, there could be but very imperfect Relations, and the news of Yesterday was contradicted by the Morrow; besides that the expedition had been undertaken by the Advice of the Parliament, and with an universal Approbation of the People, so that no body could reasonably speak loudly against it; Yet, notwithstanding all this, the ill success was heavily born, and imputed to ill Conduct, the principal Officers of the Fleet and Army divided amongst themselves, and All united in their Murmurs against the General, the Lord Viscount *Wimbledon*; who, though an old Officer in *Holland*, was never thought equal to the Enterprize. In a word, there was Indispostion enough quickly discover'd against the war it self, that it was easily discern'd, it would not be pursued with the vigour, it was entered into, nor carried on by any cheerful contribution of Money from the Publick.

But the running into this War with *France* (from whence the Queen was so newly, and joyfully receiv'd) without any colour of reason, or so much as the formality of a Declaration from the King, containing the ground, and provocation, and end of it, according to custom and obligation in the like cases (for it was observ'd, that the Manifesto which was publish'd was in the Duke's own Name, who went Admiral and General of the Expedition) opened the mouths of all men, to Inveigh against it with all Bitterness: and the suddain ill Effects of it; manifested in the return of the Fleet to *Portsmouth*, within such a distance of *London*, that nothing could be conceal'd of the Loss sustain'd; in which, most noble Families found a Son, or a Brother, or near Kinsman wanting, without such Circumstances of their Deaths, as are usually the Consolations, and recompences of such Catastrophes. The Retreat had been a Rout without an Enemy, and the *French* had their revenge by the Disorder, and Confusion of the *English* Themselves; in which, great numbers of Noble and Ignoble were crowded to death, or drowned without the help of an Enemy: and as some thousands of the common Men were wanting, so few of those principal Officers, who attain'd to a Name in War, and by whose Courage and Experience any War was to be conducted, could be found.

The effects of this overthrow did not at first appear in whispers, murmurs, and invectives, as the Retreat from *Calis* had done; but produced such a general Consternation over the face of the whole Nation, as if all the armies of *France* and *Spain* were united together, and had cover'd the land. Mutinies in the Fleet and Army, under pretence of their want of Pay (whereof no doubt there was much due to them) but in truth, out of detestation of the Service, and the Authority of the Duke. The Counties throughout the Kingdom were so incensed, and their affections poison'd, that they refused to suffer the Soldiers to be billetted upon them; by which, they often underwent greater Inconveniencies and Mischiefs, than they endeavour'd to prevent. The endeavour to raise new Men for the recruit of the army, by pressing (the usual method) that had commonly been practis'd upon such Occasions) found opposition in many places; and the Authority by which it was done not submitted to, as being counted illegal. This produced a resort to Martial Law, by which many were executed; which raised an asperity in the minds of more than of the common people. And this distemper was so universal, that the least spark still meeting with cumbustible matter enough to make a flame; all wise men look'd upon it as the Prediction of the Destruction, and Dissolution, that would follow. Nor was there a Serenity in the Countenance of any man, who had age and experience enough to consider things to come; but only in those who wish'd the destruction of the Duke; and thought it could not be purchased at too dear a price; and look'd upon this flux of humours as an inevitable way to bring it to pass.

And it cannot be denied, that from these two Wars so wretchedly entred into, and the circumstances before mention'd, and which flowed from thence, the Duke's ruin took its date; and never left pursuing him, till that execrable act upon his person: the malice whereof was contracted by that sole evil Spirit of the time, without any partner in the Conspiracy. And the Venome of that season encreased and got vigour; until, from one Licence to another, it proceeded till the Nation was corrupted, to that monstrous degree, that it grew Satiated, and weary of the Government it self, under which it had enjoy'd a greater measure of Felicity, than any Nation was ever possess'd of; and which could never be continu'd to them, but under the same Government. And as these Calamities originally sprung from the inordinate appetite and passion of this young man, under the too much easiness of two indulgent Masters,

and

and the concurrence of a thouſand other accidents; So, if he had lived longer, the obſervation and experience he had gain'd, which had very much improved his Underſtanding, with the Greatneſs of his Spirit, and Jealouſy of his Maſter's honour (to whom his Fidelity was Superior to any temptation) might have repair'd many of the Inconveniencies, which he had introduced, and would have prevented the Miſchiefs which were the natural effects of thoſe cauſes.

An account of a Prediction of the Duke's death.

There are many Stories ſcatter'd abroad at that time, of ſeveral Propheſies and Predictions of the Duke's untimely and violent Death. Amongſt the reſt, there was one, which was upon a better Foundation of Credit, than uſually ſuch diſcourſes are founded upon. There was an Officer in the King's Wardrobe in *Windſor* Caſtle, of a good reputation for honeſty and diſcretion, and then about the Age of fifty years or more: this man, had in his youth been bred in a School, in the Pariſh where Sir *George Villiers* the Father of the Duke liv'd; and had been much cheriſh'd and obliged, in that Seaſon of his age, by the ſaid Sir *George*, whom afterwards he never ſaw. About ſix months before the miſerable end of the Duke of *Buckingham*, about mid-night, this man being in his bed, at *Windſor* where his Office was, and in a very good health, there appear'd to him on the ſide of his bed, a man of a very venerable aſpect, who drew the curtains of his bed, and fixing his eyes upon him, ask'd him, if he knew him. The poor man, half dead with fear, and apprehenſion, being ask'd the ſecond time, Whether he remembred him? and having in that time call'd to his memory the preſence of Sir *George Villiers*, and the very cloaths he uſed to wear, in which at that time he ſeem'd to be habited, he anſwer'd him, That he thought him to be that Perſon. He replyed, "he was in the right; that he was "the ſame, and that he expected a Service from him; which was, that he ſhould "go from him to his Son the Duke of *Buckingham*, and tell him, if he did not "ſomewhat to ingratiate himſelf to the People, or, at leaſt, to abate the extream "malice they had againſt him, he would be ſuffer'd to live but a ſhort time. After this diſcourſe he diſappear'd; and the poor man if he had been at all waking, ſlept very well till Morning, when he believed all this to be a dream, and conſider'd it no otherwiſe.

The next night, or ſhortly after, the ſame Perſon appear'd to him again in the ſame place, and about the ſame time of the night, with an aſpect a little more ſevere than before; and ask'd him, Whether he had done as he required him? and perceiving he had not, gave him very ſevere reprehenſions; told him, "he expected more "compliance from him; and that if he did not perform his commands, he ſhould "enjoy no peace of mind, but ſhould be always purſued by him: upon which he promiſed him to obey him. But the next morning waking out of a good ſleep, though he was exceedingly perplex'd with the lively repreſentation of all particulars to his memory, he was willing ſtill to perſwade himſelf, that he had only dream'd: and conſider'd, that he was a perſon at ſuch a diſtance from the Duke, that he knew not how to find any admiſſion to his preſence; much leſs had any hope to be believ'd in what he ſhould ſay. So with great trouble and unquietneſs, he ſpent ſome time in thinking what he ſhould do; and in the end reſolv'd to do nothing in the matter.

The ſame Perſon appear'd to him the third time with a terrible countenance, and bitterly reproaching him for not performing what he had promiſed to do. The poor man had by this time recover'd the courage to tell him, "that in truth he had de-"ferr'd the execution of his commands, upon conſidering, how difficult a thing it "would be for him to get any acceſs to the Duke, having acquaintance with no "Perſon about him; and if he could obtain admiſſion to him, he ſhould never be "able to perſwade him, that he was ſent in ſuch a manner; but he ſhould, at beſt, "be thought to be mad, or to be ſet on and employ'd, by his own or the malice of "other Men, to abuſe the Duke; and ſo he ſhould be ſure to be undone. The perſon "replied, as he had done before, "that he ſhould never find reſt, till he ſhould per-"form what He required; and therefore he were better to diſpatch it: that the "acceſs to his Son was known to be very eaſy; and that few men waited long for him; "and for the gaining him credit, he would tell him two or three particulars, which he "charged him never to mention to any perſon living, but to the Duke himſelf; "and he ſhould no ſooner hear them, but he would believe all the reſt he ſhould ſay: and ſo repeating his threats he left him.

In the morning, the poor man more confirm'd by the laſt Appearance, made his journey to *London* where the court then was. He was very well known to Sir *Ralph Freeman*, one of the Maſters of Requeſts, who had married a Lady that was nearly allyed

allyed to the Duke, and was himſelf well receiv'd by him. To him this man went; and though he did not acquaint him with all particulars, he ſaid enough to him to let him ſee there was ſomewhat extraordinary in it; and the knowledge he had of the ſobriety, and diſcretion of the man, made the more impreſſion in him. He deſired, that, 'by His means he might be brought to the Duke; to ſuch a place, and in 'ſuch a manner, as ſhould be thought fit: affirming 'that he had much to ſay to 'him; and of ſuch a Nature, as would require much privacy, and ſome time, and 'patience in the hearing. Sr. *Ralph* promiſed 'he would ſpeak firſt with the Duke 'of him, and then he ſhould underſtand his pleaſure: and accordingly, in the firſt opportunity, he did inform him of the reputation and honeſty of the man, and then what he deſired, and of all he knew of the matter. The Duke, according to his uſual openneſs, and condeſcenſion, told him, 'that he was the next day early to 'hunt with the King; that his horſes ſhould attend him at *Lambeth* Bridge, where 'he would land by five of the clock in the morning; and if the man attended him 'there at that hour, he would walk, and ſpeak with him, as long as ſhould be ne-'ceſſary. Sr. *Ralph* carried the man with him the next morning, and preſented him to the Duke at his landing; who receiv'd him courteouſly; and walk'd aſide in conference near an hour, none but his own Servants being at that hour in that place; and they and Sr. *Ralph* at ſuch a diſtance, that they could not hear a word, though the Duke ſometimes ſpoke, and with great commotion; which Sr. *Ralph* the more eaſily obſerv'd, and perceiv'd, becauſe he kept his eyes always fix'd upon the Duke; having procured the conference, upon ſomewhat he knew there was of extraordinary. And the man told him in his return over the water, 'that when he mention'd thoſe 'particulars, which were to gain him credit, the Subſtance whereof he ſaid he durſt 'not impart to him, the Duke's colour changed, and he ſwore he could come to 'that knowledge only by the Devil; for that thoſe particulars were known only to 'himſelf, and to one perſon more, who, he was ſure, would never ſpeak of it.

The Duke purſued his purpoſe of hunting; but was obſerv'd to ride all the morning with great penſiveneſs, and in deep thoughts, without any delight in the exerciſe he was upon: and before the morning was ſpent, left the field, and alighted at his Mother's lodgings in *White-hall*; with whom he was ſhut up for the ſpace of two or three hours; the noiſe of their diſcourſe frequently reaching the ears of thoſe, who attended in the next rooms: and when the Duke left her, his countenance appear'd full of trouble, with a mixture of anger; a countenance, that was never before obſerv'd in him, in any converſation with Her, towards whom he had a profound reverence. And the Counteſs her ſelf (for though ſhe was married to a private Gentleman Sr. *Thomas Compton*, ſhe had been created Counteſs of *Buckingham*, ſhortly after her Son had firſt aſſumed that Title) was, at the Duke's leaving her, found overwhelm'd in tears, and in the higheſt agony imaginable. Whatever there was of all this, it is a notorious truth, that when the news of the Duke's Murther (which happen'd within few months after) was brought to his Mother, ſhe ſeem'd not in the leaſt degree ſurprized; but receiv'd it as if ſhe had foreſeen it; nor did afterwards expreſs ſuch a degree of ſorrow, as was expected from ſuch a Mother, for the loſs of ſuch a Son.

This Digreſſion much longer than it was intended, may not be thought altogether improper in this Diſcourſe. For as the mention of his Death was very pertinent, in the place, and upon the occaſion, it happen'd to be made; ſo upon that occaſion, it ſeem'd the more reaſonable to Digreſs, upon the Nature, and Character, and Fortune of the Duke; as being the beſt mirror to diſcern the Temper, and Spirit of that Age; and the wonderful concurrence of many fatal accidents, to diſfigure the Government of two excellent Kings; under whom their Kingdoms in general proſper'd exceedingly; and enjoy'd a longer Peace, a greater Plenty, and in fuller Security, than had been in any former age.

A proſpect of the Court and the Miniſters after the Duke's death.

And becauſe there was ſo total a change of all Counſels, and in the whole face of the Court upon the death of that mighty Favourite; all thoughts of War being preſently laid aſide (though there was a faint looking towards the relief of *Rochel* by the Fleet, that was ready under the command of the Earl of *Lindſey*) and the proviſions for Peace and Plenty taken to heart: It will not be unuſeful, nor unpleaſant, to enlarge the Digreſſion, before a return to the proper Subject of the Diſcourſe; by a proſpect of the Conſtitution of the Court, after that bright Star was ſhot out of the Horizon: Who were the chief Miniſters, that had the principal management of publick affairs in Church and State; and how equal their Faculties and Qualifi-

cations were for thoſe high Tranſactions; in which, mention ſhall be only made of Thoſe, who were then in the higheſt truſt; there being at that time no Ladies, who had diſpoſed themſelves to intermeddle in buſineſs: and hereafter, when That activity begun, and made any progreſs, it will be again neceſſary to take a new ſurvey of the Court upon that alteration.

Of the Lord Keeper Coventry.

Sir *Thomas Coventry* was then Lord Keeper of the Great Seal of *England*, and newly made a Baron. He was a ſon of the Robe; his Father having been a Judge in the Court of the Common Pleas: who took great care to breed him, though his firſt born, in the ſtudy of the Common Law; by which he himſelf had been promoted to that degree; and in which, in the Society of the Inner-Temple, his Son made a notable progreſs, by an early eminence in Practice, and Learning; inſomuch as he was Recorder of *London*, Sollicitor General, and King's Attourney before he was forty years of age. A rare aſcent! All which Offices he diſcharged with great abilities, and ſingular reputation of Integrity. In the firſt year after the death of King *James*, he was advanced to be Keeper of the Great Seal of *England* (the uſual advancement from the office of Attourney General) upon the removal of the Biſhop of *Lincoln*: who, though a man of great wit, and good Scholaſtick learning, was generally thought ſo very unequal to the Place, that his Remove was the only recompenſe and ſatisfaction, that could be made for his Promotion. And yet it was enough known, that the Diſgrace proceeded only from the private diſpleaſure of the Duke of *Buckingham*. The Lord *Coventry* enjoy'd this place with an univerſal reputation (and ſure Juſtice was never better adminiſtred) for the ſpace of about ſixteen years; even to his death, ſome months before he was ſixty years of age: which was another important circumſtance of his Felicity; that great Office being ſo ſlippery, that no man had died in it before, for near the ſpace of forty years. Nor had his Succeſſors, for ſome time after him, much better fortune. And he himſelf had uſe of all his ſtrength, and skill (as he was an excellent Wreſtler in this kind) to preſerve himſelf from falling, in two Shocks: the one given him by the Earl of *Portland*, Lord high Treaſurer of *England*; the other by the Marquis of *Hamilton*, who had the greateſt power over the affections of the King of any man of that time.

He was a man of wonderful Gravity, and Wiſdom; and underſtood not only the whole Science, and Myſtery of the Law, at leaſt equally with any man, who had ever ſate in that place; but had a clear Conception of the whole Policy of the Government both of Church and State, which by the unskilfulneſs of ſome well-meaning Men, juſtled each the other too much.

He knew the temper, diſpoſition, and genius of the Kingdom moſt exactly; ſaw their Spirits grow every day more ſturdy, inquiſitive, and impatient; and therefore naturally abhorred all Innovations, which he foreſaw, would produce ruinous effects. Yet many, who ſtood at a diſtance, thought that he was not active, and ſtout enough in oppoſing thoſe Innovations. For though, by his place, he preſided in all publick Councils, and was moſt ſharp ſighted in the Conſequence of things; yet he was ſeldom known to ſpeak in matters of State, which, he well knew, were, for the moſt part, concluded, before they were brought to that publick Agitation: never, in foreign affairs; which the vigour of his Judgment could well have comprehended: nor indeed freely in any thing, but what immediately, and plainly concern'd the juſtice of the Kingdom; and in that, as much as he could, he procured references to the Judges. Though, in his nature, he had not only a firm Gravity, but a Severity, and even ſome Moroſity; yet it was ſo happily temper'd, and his Courteſy, and Affability towards all men ſo tranſcendent, and ſo much without affectation, that it marvellouſly recommended him to all men of all degrees, and he was look'd upon as an excellent Courtier, without receding from the native ſimplicity of his own manners.

He had, in the plain way of ſpeaking and delivery, without much Ornament of Elocution, a ſtrange power of making himſelf believ'd, the only juſtifiable Deſign of Eloquence: ſo that though he uſed very frankly to deny, and would never ſuffer any man to depart from him, with an opinion that he was inclined to gratify, when in truth he was not; holding that Diſſimulation to be the worſt of Lying: yet the manner of it was ſo gentle, and obliging, and his Condeſcenſion ſuch, to inform the perſons whom he could not ſatisfy, that few departed from him with ill will, and ill wiſhes.

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But then, this happy Temper, and theſe good Faculties, rather preſerv'd him from having many Enemies, and ſupplied him with ſome Well-wiſhers, than furniſh'd him with any faſt and unſhaken Friends: who are always procured in Courts, by more Ardour, and more vehement Profeſſions, and Applications, than he would ſuffer himſelf to be entangled with. So that he was a man, rather exceedingly liked, than paſſionately loved: inſomuch that it never appear'd, that he had any one Friend in the Court, of Quality enough to prevent, or divert any diſadvantage, he might be expoſed to. And therefore it is no wonder, nor to be imputed to him, that he retired within himſelf as much as he could; and ſtood upon his Defence, without making deſperate ſallies againſt growing miſchiefs; which, he knew well, he had no power to hinder, and which might probably begin in his own Ruin. To conclude, his ſecurity conſiſted very much in his having but little credit with the King; and he died, in a ſeaſon moſt opportune, in which a wiſe man would have pray'd to have finiſh'd his courſe, and which in truth crown'd his other ſignal proſperity in the World.

Of the Lord Treaſurer Weſton, Earl of Portland.

Sir *Richard Weſton* had been advanced to the White-ſtaff, into the Office of Lord high Treaſurer of *England*, ſome months before the death of the Duke of *Buckingham*; and had, in that ſhort time, ſo much diſobliged him, at leaſt diſappointed his expectation, that many, who were privy to the Duke's moſt ſecret purpoſes, did believe, that if he had out-liv'd that voyage in which he was engaged, he would have remov'd him, and made another Treaſurer. And it is very true, that great Office too had beeen very ſlippery, and not faſt to thoſe, who had truſted themſelves in it: Inſomuch as there were at that time, five noble Perſons alive, who had all ſucceeded one another immediately in that unſteady Charge, without any other perſon intervening: the Earl of *Suffolk*; the Lord Viſcount *Mandevile*, afterwards Earl of *Mancheſter*; the Earl of *Middleſex*; and the Earl of *Marlborough*, who was remov'd under pretence of his age, and diſability for the work (which had been a better reaſon againſt his Promotion, ſo few years before, that his infirmities were very little increaſed) to make room for the preſent Officer; who, though advanced by the Duke, may properly be ſaid to be eſtabliſh'd by his Death.

He was a Gentleman of a very ancient extraction by Father and Mother. His Education had been very good amongſt books and men. After ſome years ſtudy of the Law in the Middle Temple, he travell'd into Forreign parts, and at an age fit to make Obſervations, and Reflections; out of which, that, which is commonly call'd Experience, is conſtituted. After this he betook himſelf to the Court, and liv'd there ſome years; at that diſtance, and with that aw, as was agreeable to the Modeſty of the Age, when Men were Seen ſome time before they were Known; and well known before they were Preferred, or durſt pretend to it.

He ſpent the beſt part of his Fortune (a fair one, that he inherited from his Father) in his attendance at Court; and involv'd his Friends in Securities with him, who were willing to run his hopeful Fortune, before he receiv'd the leaſt Fruit from it, but the Countenance of great men, and thoſe in authority, the moſt natural, and moſt certain ſtairs to aſcend by.

He was then ſent Embaſſador to the Arch-Dukes, *Albert* and *Iſabella*, into *Flanders*; and to the Dyet in *Germany*, to treat about the reſtitution of the *Palatinate*; in which Negotiation he behaved himſelf with great Prudence, and with the concurrent teſtimony of his being a wiſe Man, from all thoſe Princes and Embaſſadors, with whom he treated.

Upon his return he was made a Privy Counſellour, and Chancellour of the Exchequer, in the place of the Lord *Brooke*, who was either perſwaded, or put out of the place; which being an office of Honour, and Truſt, is likewiſe an excellent Stage for men of parts to tread, and expoſe themſelves upon; where they have occaſions of all kinds to lay out, and ſpread all their Faculties and Qualifications moſt for their advantage. He behav'd himſelf very well in his Function, and appear'd Equal to it; and carried himſelf ſo luckily in Parliament, that he did his Maſter much Service, and preſerv'd himſelf in the good opinion, and acceptation of the Houſe; which is a bleſſing not indulged to many by thoſe High Powers. He did ſwim in thoſe troubled and boiſterous waters, in which the Duke of *Buckingham* rode as Admiral, with a good grace; when very many who were about him, were drowned, or forced on ſhore with ſhrewd hurts, and bruiſes: which ſhewed, he knew well How and When to uſe his limbs, and ſtrength to the beſt advantage; ſometimes only to avoid ſinking; and ſometimes to advance and get ground: and by this dexterity, he

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kept his credit with thoſe who could do him good, and loſt it not with others, who deſired the deſtruction of thoſe upon whom he moſt depended.

He was made Lord Treaſurer in the manner, and at the time mention'd before, upon the removal of the Earl of *Marlborough*, and few months before the death of the Duke. The former circumſtance, which is often attended by Compaſſion towards the Degraded, and Prejudice towards the Promoted, brought him no diſadvantage: For beſides the delight that Seaſon had in Changes, there was little reverence towards the Perſon remov'd; and the extream viſible Poverty of the Exchequer ſhelter'd that Province from the Envy, it had frequently created; and open'd a door, for much Applauſe to be the Portion of a wiſe, and provident Miniſter. For the other, of the Duke's death, though ſome, who knew the Duke's Paſſions and Prejudice (which often produced rather ſuddain indiſpoſition, than obſtinate reſolution) believ'd he would have been ſhortly caſhier'd, as ſo many had lately been; and ſo that the death of his Founder was a greater Confirmation of him in the Office, than the delivery of the White-ſtaff to him had been: yet many other wiſe men, who knew the Treaſurer's talent in removing prejudice, and reconciling himſelf to wavering and doubtful affections, believ'd, that the Loſs of the Duke was very Unſeaſonable; and that the aw, or apprehenſion of his Power, and Diſpleaſure, was a very neceſſary alloy for the Impetuoſity of the new Officer's Nature, which needed ſome reſtraint, and check, for ſome time, to his immoderate Pretences, and appetite of Power.

He did indeed appear on the ſuddain wonderfully Elated, and ſo far threw off his old affectation to pleaſe Some very much, and to diſpleaſe None, in which art he had excell'd; that in few months after the Duke's Death, he found himſelf to ſucceed him in the publick diſpleaſure, and in the malice of his Enemies, without ſucceeding him in his credit at Court, or in the affection of any conſiderable Dependents. And yet, though he was not ſuperiour to all other men in the affection, or rather reſignation of the King, ſo that he might diſpenſe favours, and disfavours according to his own election; he had a full ſhare in his Maſter's eſteem, who look'd upon him as a wiſe, and able Servant, and worthy of the truſt he repoſed in him; and receiv'd no other advice in the large buſineſs of his Revenue: nor was any man ſo much his ſuperiour, as to be able to leſſen him in the King's affection by his power. So that he was in a Poſt, in which he might have found much eaſe, and delight, if he could have contain'd himſelf within the verge of his own Province, which was large enough, and of ſuch Extent, that he might, at the ſame time, have drawn a great dependance upon him of very conſiderable men, and have appear'd a very uſeful, and profitable Miniſter to the King; whoſe Revenue had been very looſely managed during the late years, and might, by induſtry, and order, have been eaſily improved: and no man better underſtood what method was neceſſary towards that good husbandry, than he.

But I know not by what frowardneſs in his Stars, he took more pains in examining, and inquiring into Other Mens offices, than in the diſcharge of his Own; and not ſo much joy in what he Had, as trouble, and agony for what he had Not. The truth is, he had ſo vehement a deſire to be the ſole Favourite, that he had no reliſh of the power, he had: and in that contention he had many Rivals, who had credit enough to do him Ill offices, though not enough to ſatisfy their own Ambition; the King himſelf being reſolv'd to hold the Reins in his own hands, and to put no further truſt in others, than was neceſſary for the Capacity they ſerv'd in. Which Reſolution in his Majeſty was no ſooner believ'd, and the Treaſurer's Pretence taken notice of, than he found the number of his Enemies exceedingly increaſed, and others to be leſs eager in the purſuit of his Friendſhip; and every day diſcover'd ſome Infirmities in him, which being before known to few, and not taken notice of, did now expoſe him both to publick Reproach, and to private Animoſities: and even his Vices admitted thoſe contradictions in them, that he could hardly enjoy the pleaſant fruit of any of them. That which firſt expoſed him to the publick jealouſy, which is always attended with publick reproach, was the concurrent ſuſpicion of his Religion. His Wife, and all his Daughters were declared of the Roman Religion: and though He himſelf, and his Sons, ſometimes went to Church, he was never thought to have *Z*eal for it; and his Domeſtick converſation and dependents, with whom only he uſed entire freedom, were all known Papiſts; and were believ'd to be Agents for the reſt. And yet with all this diſadvantage to himſelf, he never had reputation, and credit with that Party; who

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were the only people of the Kingdom, who did not believe him to be of their Profeſſion. For the Penal Laws (thoſe only excepted which were Sanguinary, and even thoſe ſometimes let looſe) were never more rigidly executed, nor had the Crown ever ſo great a Revenue from them, as in his time; nor did they ever pay ſo dear for the favours, and indulgencies of his office towards them.

No man had greater ambition to make his Family great, or ſtronger deſigns to leave a great Fortune to it. Yet his Expences were ſo prodigious, eſpecially in his Houſe, that all the ways he uſed for ſupply, which were all, that occurr'd, could not ſerve his turn; inſomuch that he contracted ſo great Debts (the anxiety whereof, he pretended, broke his mind, and reſtrain'd that attention, and induſtry, which was neceſſary for the due execution of his Office) that the King was pleaſed Twice to pay his Debts; at leaſt towards it, to diſburſe forty thouſand pounds in ready money out of his Exchequer. Beſides, his Majeſty gave him a whole Forreſt [*Chute* Forreſt in *Hampſhire*] and much other land belonging to the Crown, which was the more taken notice of, and Murmur'd againſt, becauſe, being the chief Miniſter of the Revenue, he was particularly obliged, as much as in him lay, to prevent, and even oppoſe ſuch Diſinheriſon; and becauſe, under that obligation, he had avowedly, and ſowrly croſs'd the pretences of other men, and reſtrain'd the King's Bounty from being exerciſed almoſt to any. And he had that advantage (if he had made the right uſe of it) that his Credit was ample enough (ſeconded by the King's own experience, and obſervation, and inclination) to Retrench very much of the late unlimited Expences, and eſpecially thoſe of Bounties; which from the death of the Duke ran in narrower channels, and never ſo much overflow'd as towards himſelf, who ſtopp'd the current to other men.

He was of an imperious nature, and nothing wary in diſobliging, and provoking other men, and had too much courage in offending, and incenſing them: but after having offended, and incenſed them, he was of ſo unhappy a feminine temper, that he was always in a terrible fright, and apprehenſion of them.

He had not that application, and ſubmiſſion, and reverence for the Queen, as might have been expected from his wiſdom, and breeding; and often croſs'd her pretences, and deſires, with more rudeneſs than was natural to him. Yet he was impertinently ſollicitous to know what her Majeſty ſaid of him in private, and what Reſentments ſhe had towards him. And when by ſome Confidents who had their ends upon him from thoſe offices, he was inform'd of ſome bitter expreſſions fall'n from her Majeſty, he was ſo exceedingly afflicted, and tormented with the ſenſe of it, that ſometimes by paſſionate complaints, and repreſentations to the King; ſometimes by more dutiful addreſſes, and expoſtulations with the Queen, in bewailing his misfortune; he frequently expoſed himſelf, and left his condition worſe than it was before; and the eclairciſment commonly ended in the diſcovery of the Perſons, from whence he had receiv'd his moſt ſecret intelligence.

He quickly loſt the character of a bold, ſtout, and magnanimous man, which he had been long reputed to be in worſe times: and, in his moſt proſperous ſeaſon, fell under the reproach of being a man of big looks, and of a mean, and abject ſpirit.

There was a very ridiculous Story at that time in the mouths of many, which, being a known truth, may not be unfitly mention'd in this place, as a kind of illuſtration of the Humour, and Nature of the man. Sr. *Julius Cæſar* was then Maſter of the Rolls, and had, inherent in his office, the indubitable right and diſpoſition of the Six-Clarks places; all which he had for many years upon any vacancy, beſtow'd to ſuch perſons as he thought fit. One of thoſe Places was become void, and deſign'd by the old man to his ſon *Robert Cæſar*, a Lawyer of a good name, and exceedingly beloved. The Lord Treaſurer (as he was vigilant in ſuch caſes) had notice of the Clark's expiration ſo ſoon, that he procured the King to ſend a meſſage to the Maſter of the Rolls, expreſly forbidding him to diſpoſe of that Six-Clark's place, till his Majeſty's pleaſure ſhould be further made known to him. It was the firſt Command of that kind, that had been heard of, and was felt by the old man very Senſibly. He was indeed very old, and had outliv'd moſt of his Friends; ſo that his Age was an objection againſt him; many Perſons of Quality being dead, who had, for recompence of Services, procured the reverſion of his Office. The Treaſurer found it no hard matter ſo far to terrify him, that (for the King's ſervice as was pretended) he admitted for a Six-Clark a perſon recommended by him (Mr. *Fern* a dependant upon him) who paid ſix thouſand pounds ready money; which, poor man! he liv'd to repent in a Jayl. This work being done at the

charge of the poor old man, who had been a Privy-Counſellor from the entrance of King *James*, had been Chancellor of the Exchequer, and ſerv'd in other Offices; the depriving him of his Right made a great noiſe: and the condition of his Son (his Father being not likely to live to have the diſpoſal of another office in his power) who, as was ſaid before, was generally belov'd, and eſteem'd, was argument of great compaſſion; and was lively, and ſucceſsfully repreſented to the King himſelf; who was graciouſly pleaſed to promiſe, that, 'if the old man chanced to die 'before any other of the Six-Clarks, that Office, when it ſhould fall, ſhould be 'conferr'd on his Son, whoſoever ſhould ſucceed Him as Maſter of the Rolls: which might well be provided for, and the Lord Treaſurer obliged himſelf (to expiate the injury) to procure ſome Declaration to that purpoſe, under his Majeſty's Sign Manuel; which, however eaſy to be done, he long forgot, or neglected.

One day the Earl of *Tullibardine*, who was nearly allied to Mr. *Cæſar*, and much his Friend, being with the Treaſurer paſſionately ask'd him, 'Whether he had done That buſineſs? To whom he anſwer'd with a ſeeming trouble, 'That he had forgotten 'it, for which he was heartily ſorry; and if he would give him a little Note in 'writing, for a Memorial, he would put it amongſt thoſe which he would diſpatch 'with the King that afternoon. The Earl preſenly writ in a little paper, *Remember Cæſar*; and gave it to him; and he put it into that little Pocket, where, he ſaid, he kept all his Memorials which were firſt to be tranſacted.

Many days paſs'd and *Cæſar* never thought of. At length, when he changed his cloaths, and he who waited on him in his chamber, according to cuſtom, brought him all the Notes and Papers, which were left in thoſe he had left off, which he then commonly peruſed; when he found this little Billet, in which was only written *Remember Cæſar*, and which he had never read before, he was exceedingly confounded, and knew not what to make, or think of it. He ſent for his boſome-Friends, with whom he moſt confidently conſulted, and ſhewed the Paper to them, the contents whereof he could not conceive: but that it might probably have been put into his hand (becauſe it was found in that incloſure, wherein he put all things of moment which were given him) when he was in motion, and in the Privy-Lodgings in the Court. After a ſerious and melancholick deliberation, it was agreed, that it was the advertiſement from ſome Friend, who durſt not Own the diſcovery: that it could ſignify nothing, but that there was a Conſpiracy againſt his life, by his many and mighty Enemies: and They all knew *Cæſar*'s fate, by contemning, or neglecting Such animadverſions. And therefore they concluded, that he ſhould pretend to be Indiſpoſed, that he might not ſtir abroad all that day; nor that any might be admitted to him, but Perſons of undoubted affections: that at night, the Gates ſhould be ſhut early, and the Porter enjoyn'd to open them to no body, nor to go himſelf to bed till the morning; and that ſome Servants ſhould watch with him, leaſt Violence might be uſed at the Gate; and that They themſelves, and ſome other Gentlemen would ſit up all the night, and attend the Event. Such Houſes are always in the morning haunted by early Suitors; but it was very late before any could now get admittance into the houſe; the Porter having quitted ſome of that arrear of ſleep, which he owed to himſelf for his night's watching; which he excuſed to his Acquaintance by whiſpering to them, 'that his Lord ſhould have been Kill'd 'that night, which had kept all the Houſe from going to bed. And ſhortly after, the Earl of *Tullibardine* asking him, Whether he had remembred *Cæſar*? the Treaſurer quickly recollected the Ground of his perturbation, and could not forbear imparting it to his Friends, who likewiſe affected the communication, and ſo the whole Jeſt came to be diſcover'd.

To conclude, all the Honours the King conferred upon him (as he made him a Baron, then an Earl, and Knight of the Garter; and above this, gave a young beautiful Lady nearly allied to his Majeſty, and to the Crown of *Scotland*, in Marriage to his eldeſt Son) could not make him think himſelf Great enough. Nor could all the King's Bounties, nor his own large Acceſſions, raiſe a Fortune to his Heirs; but after ſix or eight years ſpent in outward opulency, and inward murmur and trouble, that it was not greater; after vaſt ſums of money and great wealth gotten, and rather conſumed than enjoy'd; without any ſenſe or delight in ſo great Proſperity, with the agony that it was no greater; He Died unlamented by Any; bitterly mention'd by Moſt who never pretended to love him; and ſeverely cenſured, and complain'd of by Thoſe, who expected moſt from him, and deſerv'd beſt of him; and left a numerous Family, which was in a ſhort time worn out, and yet outliv'd the Fortune he left behind him.

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The next great Counſellour of State was the Lord Privy-Seal, who was likewiſe of a Noble Extraction, and of a Family at that time very fortunate. His Grandfather had been Lord Chief Juſtice, and left by King *Harry* the Eighth one of the Executours of his laſt Will. He was the younger Son of his Father, and brought up in the ſtudy of the Law in the Middle Temple; and had paſs'd, and, as it were, made a progreſs through all the eminent Degrees of the Law, and in the State. At the death of Queen *Elizabeth*, or thereabouts, he was Recorder of *London*; then the King's Serjeant at Law; afterwards Chief Juſtice of the King's Bench. Before the death of King *James*, by the Favour of the Duke of *Buckingham*, he was raiſed to the Place of Lord High Treaſurer of *England*; and within leſs than a year afterwards, by the withdrawing of that Favour, he was reduced to the almoſt empty Title of Preſident of the Council; and, to allay the ſenſe of the diſhonour, created Viſcount *Mandevile*. He bore the Diminution very well, as he was a wiſe man, and of an excellent temper; and quickly recover'd ſo much grace, that he was made Earl of *Mancheſter*, and Lord Privy-Seal, and enjoy'd that Office to his Death; whilſt he ſaw many Removes, and Degradations, in all the other Offices of which he had been poſſeſs'd. *Of the Earl of Mancheſter, Lord Privy Seal.*

He was a man of great Induſtry, and Sagacity in Buſineſs, which he delighted in exceedingly; and preſerv'd ſo great a vigour of Mind, even to his death (when he was very near eighty years of age) that ſome, who had known him in his younger years, did believe him to have much quicker parts in his age, than before. His Honours had grown faſter upon him, than his Fortunes; which made him too ſolicitous to advance the latter, by all the ways which offer'd themſelves; whereby he expoſed himſelf to ſome inconvenience, and many reproaches, and became leſs capable of ſerving the Publick by his Counſels, and Authority; which his known wiſdom, long experience, and confeſs'd gravity, and ability, would have enabled him to have done; moſt men conſidering more the Perſon that ſpeaks, than the Things, he ſays. And he was unhappily too much uſed as a Check upon the Lord *Coventry*; and when that Lord perplex'd their counſels, and deſigns, with inconvenient objections in law, the authority of the Lord *Mancheſter* who had trod the ſame paths, was ſtill call'd upon; and he did too frequently gratify their unjuſtifiable deſigns, and pretences: a guilt and miſchief, all men, who are obnoxious, or who are thought to be ſo, are liable to, and can hardly preſerve themſelves from. But his Virtues ſo far weigh'd down his Infirmities, that he maintain'd a good general reputation, and credit with the whole Nation, and People; he being always look'd upon, as full of Integrity, and Zeal to the Proteſtant Religion, as it was eſtabliſh'd by Law, and of unqueſtionable Loyalty, Duty, and Fidelity to the King; which two Qualifications will ever gather popular Breath enough to fill the Sails, if the Veſſel be competently provided with Ballaſt. He died in a lucky time, in the beginning of the Rebellion, when neither Religion, Loyalty, Law, nor Wiſdom could have provided for any Man's Security.

The Earl of *Arundel* was the next Officer of State, who in his own Right, and Quality, preceded the reſt of the Council. He was generally thought to be a proud Man, who liv'd always within himſelf, and to himſelf, converſing little with any, who were in common converſation; ſo that he ſeem'd to live as it were in another Nation, his houſe being a place, to which all people reſorted who reſorted to no other place; Strangers, or ſuch who affected to look like Strangers, and dreſs'd themſelves accordingly. He reſorted ſometimes to the Court, becauſe There only was a greater Man than himſelf; and went thither the ſeldomer, becauſe there Was a greater Man than himſelf. He liv'd towards all Favourites, and great Officers, without any kind of condeſcention, and rather ſuffer'd himſelf to be ill treated by their power and authority (for he was often in diſgrace, and once or twice Priſoner in the Tower) than to deſcend in making any application to them. *Of the Earl of Arundel.*

And upon theſe Occaſions he ſpent a great interval of his time, in ſeveral Journeys into forreign Parts, and, with his Wife and Family, had liv'd ſome years in *Italy*; the humour, and manners of which Nation he ſeem'd moſt to like, and approve, and effected to imitate. He had a good Fortune by deſcent, and a much greater from his Wife, who was the ſole daughter upon the matter (for neither of the two Siſters left any Iſſue) of the great Houſe of *Shrewsbury*; but his Expences were without any meaſure, and always exceeded very much his Revenue. He was willing to be thought a Scholar, and to underſtand the moſt myſterious parts of Antiquity, becauſe he made a wonderful and coſtly Purchaſe of excellent Statues,

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whilſt he was in *Italy*, and in *Rome* (ſome whereof he could never obtain permiſſion to remove from *Rome*, though he had paid for them) and had a rare Collection of the moſt curious Medals. As to all parts of Learning he was almoſt illiterate, and thought no other part of Hiſtory ſo conſiderable, as what related to his own Family; in which, no doubt, there had been ſome very memorable Perſons. It cannot be denied that he had in his perſon, in his aſpect, and countenance, the appearance of a great man, which he preſerv'd in his gate, and motion. He wore and affected a Habit very different from that of the time, ſuch as men had only beheld in the Pictures of the moſt conſiderable Men; all which drew the eyes of moſt, and the reverence of many towards him, as the Image, and Repreſentative of the Primitive Nobility, and Native Gravity of the Nobles, when they had been moſt Venerable: but this was only his outſide; his nature and true humour being much diſpoſed to levity, and delights, which indeed were very deſpicable and childiſh. He was rather thought not to be much concern'd for Religion, than to incline to this, or that Party of any: and had little other affection for the Nation or the Kingdom, than as he had a great ſhare in it, in which like the great Leviathan he might ſport himſelf; from which he withdrew, as ſoon as he diſcern'd the repoſe thereof was like to be diſturb'd, and died in *Italy*, under the ſame doubtful character of Religion, in which he liv'd.

Of William *Earl of* Pembroke.

William Earl of *Pembroke* was next, a man of another mold, and making, and of another fame, and reputation with all men, and being the moſt univerſally belov'd and eſteem'd of any man of that age: and, having a great Office in the Court, he made the Court it ſelf better eſteem'd, and more reverenced in the Country. And as he had a great number of Friends of the beſt men, ſo no man had ever the confidence to avow himſelf to be his Enemy. He was a man very well bred, and of excellent parts, and a graceful Speaker upon any ſubject, having a good proportion of Learning, and a ready Wit to apply it, and enlarge upon it: of a pleaſant and facetious humour, and a diſpoſition affable, generous, and magnificent. He was maſter of a great Fortune from his Anceſtours, and had a great addition by his Wife, another Daughter, and Heir of the Earl of *Shrewsbury*, which he enjoy'd during his life, ſhe outliving him: but all ſerv'd not his Expence, which was only limitted by his great mind, and occaſions to uſe it nobly.

He liv'd many years about the Court, before In it; and never by it: being rather regarded and eſteem'd by King *James*, than lov'd and favour'd. After the foul Fall of the Earl of *Somerſet*, he was made Lord Chamberlain of the King's Houſe, more for the Court's ſake, than his Own; and the Court appear'd with the more Luſtre, becauſe he had the Government of that Province. As he ſpent and liv'd upon his own Fortune, ſo he ſtood upon his own Feet, without any other ſupport than of his proper Virtue and Merit: and liv'd towards the Favourites with that decency, as would not ſuffer them to cenſure or reproach his Maſter's judgment, and election, but as with men of his own rank. He was exceedingly beloved in the Court, becauſe he never deſired to get that for Himſelf, which Others labour'd for, but was ſtill ready to promote the pretences of worthy men. And he was equally celebrated in the Country, for having receiv'd no Obligations from the Court which might corrupt, or ſway his affections, and judgment: ſo that all who were diſpleaſed, and unſatisfied In the Court, or With the Court, were always inclined to put themſelves under his Banner, if he would have admitted them: and yet he did not ſo reject them, as to make them chuſe another Shelter, but ſo far ſuffer'd them to depend on him, that he could reſtrain them from breaking out beyond private reſentments, and murmurs.

He was a great lover of his Country, and of the Religion, and Juſtice, which he believ'd could only ſupport it; and his Friendſhips were only with men of thoſe Principles. And as his Converſation was moſt with men of the moſt pregnant parts, and underſtanding, ſo towards any ſuch, who needed ſupport, or encouragement, though unknown, if fairly recommended to him, he was very liberal. Sure never man was planted in a Court, that was fitter for that Soil, or brought better qualities with him to purify that Air.

Yet his memory muſt not be Flatter'd, that his Virtues, and good inclinations may be believ'd; he was not without ſome allay of Vice, and without being clouded with great Infirmities, which he had in too exorbitant a proportion. He indulged to himſelf the pleaſures of all kinds, almoſt in all exceſſes. To Women, whether out of his natural Conſtitution, or for want of his domeſtick

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content, and delight (in which he was moſt unhappy, for he paid much too dear for his Wife's Fortune, by taking her Perſon into the bargain) he was immoderately given up. But therein he likewiſe retain'd ſuch a power, and juriſdiction over his very appetite, that he was not ſo much tranſported with beauty, and outward allurements, as with thoſe advantages of the mind, as manifeſted an extraordinary wit, and ſpirit, and knowledge, and adminiſtred great pleaſure in the converſation. To theſe he ſacrificed himſelf, his precious time, and much of his fortune. And ſome, who were neareſt his truſt and friendſhip, were not without apprehenſion, that his natural vivacity, and vigour of mind begun to leſſen, and decline by thoſe exceſſive Indulgences.

About the time of the death of King *James*, or preſently after, he was made Lord Steward of his Majeſty's Houſe; that the Staff of Chamberlain might be put into the hands of his Brother, the Earl of *Montgomery*, upon a new contract of Friendſhip with the Duke of *Buckingham*; after whoſe death, he had likewiſe ſuch Offices of his, as he moſt affected of honour, and command; none of profit, which he cared not for: and within two years after, he died himſelf of an Apoplexy, after a full and chearful Supper.

A ſhort Story may not be unfitly inſerted, it being very frequenty mention'd by a Perſon of known integrity, whoſe Character is here undertaken to be ſet down, and who, at that time being on his way to *London*, met at *Maidenhead* ſome Perſons of Quality, of relation or dependance upon the Earl of *Pembroke* (Sr. *Charles Morgan*, commonly call'd General *Morgan*, who had commanded an Army in *Germany*, and defended *Stoad*; Dr. *Feild*, then Biſhop of Saint *Davids*; and Dr. *Chaſin*, the Earl's then Chaplain in his houſe, and much in his favour.) At Supper one of them drank a health to the Lord Steward: upon which another of them ſaid, 'that he 'believ'd his Lord was at that time very Merry, for he had now outliv'd the day, 'which his Tutor *Sandford* had prognoſticated upon his Nativity he would not out-'live; but he had done it now, for that was his Birth-day, which had compleated 'his age to fifty years. The next morning by the time they came to *Colebrook*, they met with the news of his Death.

He Died exceedingly lamented by men of all Qualities, and left many of his Servants and Dependents owners of good Eſtates, raiſed out of his employments, and bounty. Nor had his Heir cauſe to complain. For though his Expences had been very magnificent (and it may be the leſs conſider'd, and his providence the leſs, becauſe he had no Child to inherit) inſomuch as he left a great Debt charged upon the Eſtate; yet conſidering the wealth he left in Jewels, Plate, and Furniture, and the Eſtate his Brother enjoy'd in the right of his Wife (who was not fit to manage it her ſelf) during her long life, he may be juſtly ſaid to have inherited as good an Eſtate from him, as he had from his Father, which was one of the beſt in *England*.

Of Philip *Earl of* Montgomery.

The Earl of *Montgomery*, who was then Lord Chamberlain of the Houſhold, and now Earl of *Pembroke*, and the Earl of *Dorſet* were likewiſe of the Privy-Council; Men of very different Talents, and Qualifications. The former being a young man ſcarce of age at the entrance of King *James*, had the good fortune by the comelineſs of his perſon, his skill, and indefatigable induſtry in Hunting, to be the firſt, who drew the King's eyes towards him with affection; which was quickly ſo far improved, that he had the reputation of a Favourite. Before the end of the firſt, or ſecond year, he was made Gentleman of the King's Bed-chamber, and Earl of *Montgomery*; which did the King no harm: For beſides that he receiv'd the King's Bounty with more moderation than other men, who ſucceeded him; He was generally known, and as generally eſteem'd; being the Son of one Earl of *Pembroke*, and younger Brother to another, who liberally ſupplied his expence, beyond what his annuity from his Father would bear.

He pretended to no other qualifications, than to underſtand Horſes and Dogs very well, which his Maſter loved him the better for (being, at his firſt coming into *England*, very jealous of thoſe who had the reputation of great Parts) and to be believ'd honeſt and generous, which made him many Friends, and left him then no Enemy. He had not ſate many years in that Sun-ſhine, when a new Comet appear'd in Court, *Robert Carr*, a *Scots* man, quickly after declared Favourite; upon whom the King no ſooner fix'd his eyes, but the Earl, without the leaſt murmur, or indiſpoſition, left all doors open for his entrance: (A rare temper! and it could proceed from nothing, but his great perfection in loving Field-ſports) which the King

receiv'd as ſo great an Obligation, that he always after loved him in the Second place, and commended him to his Son at his death, as a man to be relied on in point of Honeſty and Fidelity; though it appear'd afterwards, that he was not ſtrongly Built, nor had ſufficient Ballaſt to endure a Storm; of which more will be ſaid hereafter.

Of Edward *Earl of* Dorſet.

The other, the Earl of *Dorſet*, was, to all intents, principles, and purpoſes, another man; his Perſon beautiful and graceful, and vigorous; his Wit pleaſant, ſparkling, and ſublime; and his other Parts of Learning, and Language, of that luſtre, that he could not miſcarry in the World. The Vices he had, were of the Age, which he was not ſtubborn enough to contemn, or reſiſt. He was a Younger brother, Grandchild to the great Treaſurer *Buckhurſt*, created, at the King's firſt Entrance, Earl of *Dorſet*, who outliv'd his Father, and took care, and delight in the Education of his Grandchild, and left him a good Support for a Younger brother; beſides a Wife, who was Heir to a fair Fortune. As his Perſon and Parts were ſuch as are before mention'd ſo he gave them full ſcope, without reſtraint; and indulged to his appetite all the Pleaſures, that ſeaſon of his life (the fulleſt of jollity, and riot of any, that preceded, or ſucceeded) could tempt, or ſuggeſt to him.

He entred into a fatal Quarrel, upon a ſubject very unwarrantable, with a young Nobleman of *Scotland*, the Lord *Bruce*; upon which they both tranſported themſelves into *Flanders*, and attended only by two Chirurgions placed at a diſtance, and under an obligation not to ſtir, but upon the fall of one of them, they fought under the Walls of *Antwerp*, where the Lord *Bruce* fell dead upon the place; and Sr. *Edward Sackville* (for ſo he was then called) being likewiſe hurt, retired into the next Monaſtery, which was at hand. Nor did this miſerable accident, which he always exceedingly lamented, make that through impreſſion upon him, but that he indulged ſtill too much to thoſe importunate, and inſatiate appetites, even of that individual Perſon, that had ſo lately embark'd him in that deſperate enterprize; being too much Tinder not to be inflamed with thoſe Sparks.

His Elder brother did not enjoy his Grandfather's Titles many years, before they deſcended, for want of Heirs male, to the Younger brother. But in theſe few years the Elder, by an exceſs of expence in all the ways to which money can be applied, ſo entirely conſumed almoſt the whole great Fortune that deſcended to him, that when he was forced to leave the Title to his younger Brother, he left upon the matter nothing to him to ſuport it; which expoſed him to many difficulties, and inconveniencies. Yet his known great Parts, and the very good general Reputation he had acquired, notwithſtanding his defects (for as he was eminent in the Houſe of Commons, whilſt he ſate there; ſo he ſhined in the Houſe of Peers, when he came to move in that ſphere) inclined King *James* to call him to his Privy-Council before his death. And if he had not too much cheriſh'd his natural conſtitution, and propenſity; and been too much griev'd, and wrung by an uneaſy and ſtreight Fortune; he would have been an excellent man of Buſineſs: for he had a very ſharp, diſcerning ſpirit; and was a man of an obliging nature, much honour, and great generoſity, and of moſt entire fidelity to the Crown.

There were two other Perſons of much Authority in the Council, becauſe of great Name in the Court; as they deſerv'd to be, being without doubt two as accompliſh'd Courtiers, as were found in the Palaces of all the Princes in *Europe*; and the greateſt (if not too great) improvers of that Breeding, and thoſe Qualifications, with which Courts uſed to be adorned; the Earl of *Carliſle* and the Earl of *Holland*: both (though men of Pleaſure) by their long experience in Court well acquainted with the affairs of the Kingdom, and better verſed in thoſe abroad, than any other who ſat then at that Board.

Of the Earl of Carliſle.

The former, a younger Brother of a noble Family in *Scotland*, came into the Kingdom with King *James*, as a Gentleman; under no other character, than a perſon well qualified by his breeding in *France*, and by ſtudy in human Learning; in which he bore a good part in the entertainment of the King, who much delighted in that exerciſe: and by theſe means, and notable gracefulneſs in his behaviour, and affability, in which he excell'd, he had wrought himſelf into a particular intereſt with his Maſter, and into greater affection and eſteem with the whole *Engliſh* Nation, than any other of that Country; by chooſing their Friendſhips, and Converſation, and really preferring it to any one of his own: Inſomuch as upon the King's making him Gentleman of his Bedchamber, and Viſcount *Doncaſter*, by his royal Mediation (in which office he was a moſt prevalent Prince) he obtain'd the ſole Daughter and Heir of the Lord

Lord *Denny* to be given him in marriage; by which he had a fair Fortune in Land provided for any Iſſue he ſhould raiſe, and which his Son by that Lady liv'd long to enjoy.

He aſcended afterwards, and with the expedition he deſired, to the other Conveniencies of the Court. He was Groom of the Stole, and an Earl, and Knight of the Garter; and married a beautiful young Lady, Daughter to the Earl of *Northumberland*, without any other Approbation of her Father, or Concernment in it, than ſuffering Him and Her to come into his preſence after they were married. He liv'd rather in a fair Intelligence than any Friendſhip with the Favourites; having credit enough with his Maſter to provide for his own Intereſt, and he troubled not himſelf for that of other men; and had no other conſideration of money, than for the ſupport of his luſtre; and whilſt he could do that, he cared not for Money, having no bowels in the point of running in debt, or borrowing all he could.

He was ſurely a man of the greateſt expence in his own perſon, of any in the age he liv'd; and introduced more of that expence in the exceſs of Cloaths and Diet, than any other man; and was indeed the original of all thoſe Inventions, from which others did but tranſcribe Copies. He had a great univerſal underſtanding, and could have taken as much delight in any other way, if he had thought any other as pleaſant, and worth his care. But he found Buſineſs was attended with more Rivals, and Vexations; and, he thought, with much leſs pleaſure, and not more innocence.

He left behind him the reputation of a very fine Gentleman, and a moſt accompliſh'd Courtier; and after having ſpent, in a very jovial life, above four hundred thouſand pounds, which, upon a ſtrict computation, he receiv'd from the Crown, he left not a Houſe, nor Acre of land to be remembred by. And when he had in his proſpect (for he was very ſharp-ſighted, and ſaw as far before him as moſt men) the gathering together of that Cloud in *Scotland*, which ſhortly after cover'd both Kingdoms, he Died with as much tranquillity of mind to all appearance, as uſed to attend a man of more ſevere exerciſe of Virtue; and with as little apprehention of death, which he expected many days.

Of the Earl of Holland.

The Earl of *Holland* was a younger Son of a Noble Houſe, and a very fruitful Bed, which divided a numerous Iſſue between two great Fathers: the Eldeſt many Sons and Daughters to the Lord *Rich*; the Younger, of both Sexes, to *Mountjoy* Earl of *Devonſhire*. The reputation of his Family gave him no great advantage in the world, though his eldeſt Brother was Earl of *Warwick*, and owner of a great Fortune; and his Younger Earl of *Newport*, of a very plentiful Revenue likewiſe. He, after ſome time ſpent in *France*, betook himſelf to the War in *Holland*, which he intended to have made his Profeſſion; where after he had made two or three Campaigns, according to the cuſtom of the *Engliſh* Voluntiers, he came in the leiſure of the Winter to viſit his Friends in *England*, and the Court, that ſhined then in the plenty and bounty of King *James*; and about the time of the infancy of the Duke of *Buckingham*'s Favours, to whom he grew in a ſhort time very acceptable. But his Friendſhip was more entire to the Earl of *Carliſle*, who was more of his nature, and humour, and had a generoſity more applicable at that time to his fortune and his ends. And it was thought by many who ſtood within view, that for ſome years he ſupported himſelf upon the Familiarity, and Friendſhip of the other; which continued mutually between them very many years, with little interruption to their death.

He was a very handſome man, of a lovely, and winning preſence and gentile converſation; by which he got ſo eaſy an admiſſion into the Court, and grace of King *James*, that he gave over the thought of further intending the life of a Soldier. He took all the ways he could to indear himſelf to the Duke, and to his confidence, and wiſely declined the receiving any grace or favour, but as his donation; above all, avoided the ſuſpicion that the King had any kindneſs for him, upon any account but of the Duke, whoſe Creature he deſired to be eſteem'd, though the Earl of *Carliſle*'s Friend. And he proſper'd ſo well in that Pretence, that the King ſcarce made more haſt to advance the Duke, than the Duke did to promote the other.

He firſt prefer'd him to a Wife, the Daughter and Heir of *Cope*, by whom he had a good Fortune; and amongſt other things, the Mannor and Seat of *Kenſington*, of which he was ſhortly after made Baron. And he had quickly ſo entire a confidence in him, that the Duke prevail'd with the King to put him about his Son the Prince of *Wales*, and to be a Gentleman of his Bedchamber, before the Duke himſelf had reaſon to promiſe himſelf any proportion of his Highneſs's Grace, and protecti-

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on. He was then made Earl of *Holland*, Captain of the Guard, Knight of the Garter, and of the Privy-Council; ſent the firſt Embaſſador into *France* to treat the marriage with the Queen, or rather privately to treat about the marriage before he was Embaſſador. And when the Duke went to the Iſle of *Ree*, he truſted the Earl of *Holland* with the Command of that Army with which he was to be recruited, and aſſiſted.

In this Confidence, and in this poſture he was left by the Duke when he was kill'd, and having the advantage of the Queen's good opinion, and favour (which the Duke neither had, nor cared for) he made all poſſible approaches towards the obtaining his truſt, and ſucceeding him in his power; or rather that the Queen might have ſolely that power, and he only be Subſervient to her; and upon this account, he made a continual War upon the Earl of *Portland* the Treaſurer, and all others who were not gracious to the Queen, or deſired not the increaſe of her Authority. And in this State, and under this Protection he receiv'd every day new Obligations from the King, and great Bounties, and continued to Flouriſh above any man in the Court, whilſt the Weather was fair: but the Storm did no ſooner ariſe, but he changed ſo much, and declined ſo faſt from the Honour he was thought to be maſter of, that he fell into that Condition, which there will be hereafter too much cauſe to mention and to enlarge upon.

Of the two Secretaries of State, Sir John Coke, *and* Sir Dudley Carleton.

The two Secretaries of State (who were not in thoſe days Officers of that magnitude they have been ſince, being only to make Diſpatches upon the Concluſion of Councils, not to govern, or preſide in thoſe Councils) were Sir *John Coke*, who, upon the death of Sir *Albert Moreton*, was, from being Maſter of Requeſts, prefer'd to be Secretary of State; And Sir *Dudley Carleton*, who from his Employment in *Holland*, was put into the Place of the Lord *Conway*, who, for age and incapacity, was at laſt removed from the Secretary's Office, which he had exerciſed many years with very notable Inſufficiency; ſo that King *James* was wont pleaſantly to ſay, 'that *Stenny* '(the Duke of *Buckingham*) had given him two very proper Servants; a Secretary, 'who could neither write, nor read; and a Groom of his Bedchamber, who could 'not truſs his points: Mr. *Clark* having but one hand.

Of theſe two Secretaries the Former was a man of a very narrow Education, and a narrower nature; having continu'd long in the Univerſity of *Cambridge*, where he had gotten Latin learning enough; and afterwards in the Country in the Condition of a private Gentleman, till after he was fifty years of age; when, upon ſome Reputation he had for Induſtry, and Diligence, he was call'd to ſome painful employment in the office of the Navy, which he diſcharged well; and afterwards to be Maſter of Requeſts, and then to be Secretary of State, which he enjoy'd to a great age: and was a man rather unadorn'd with any parts of vigour and quickneſs, and unindow'd with any notable virtues, than notorious for any weakneſs, or defect, of underſtanding, or tranſported with any vitious inclinations, appetite to Money only excepted. His cardinal perfection was Induſtry, and his moſt eminent infirmity Covetouſneſs. His long experience had inform'd him well of the State, and affairs of *England*; but of Forreign tranſactions, or the common intereſt of Chriſtian Princes, he was entirely undiſcerning and ignorant.

Sir *Dudley Carleton* was of a quite contrary nature, conſtitution, and education, and underſtood all that related to Forreign employments, and the condition of other Princes, and Nations very well; but was unacquainted with the Government, Laws, and Cuſtoms of his own Country, and the Nature of the People. He was a younger ſon in a good Gentleman's Family, and bred in *Chriſt-Church*, in the Univerſity of *Oxford*, where he was a Student of the Foundation, and a young Man of Parts, and towardly Expectation. He went from thence early into *France*, and was ſoon after Secretary to Sir *Harry Nevil* the Embaſſador there. He had been ſent Embaſſador to *Venice*, where he reſided many years with good Reputation; and was no ſooner return'd from thence into *England*, then he went Embaſſador into *Holland* to the States-General, and reſided there when that Synod was aſſembled at *Dort*, which hath given the world ſo much occaſion ſince for uncharitable Diſputations, which they were call'd together to prevent. Here the Embaſſador was not thought ſo equal a Spectator, or Aſſeſſor, as he ought to have been; but by the infuſions he made into King *James*, and by his own activity, he did all he could to diſcountenance that Party that was moſt Learned, and to raiſe the credit and authority of the Other; which hath ſince proved as inconvenient, and troubleſome to their own Country, as to their Neighbours.

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He was once more Embaſſador extraordinary in *Holland* after the death of King *James*, and was the laſt who was admitted to be Preſent, and to Vote in the General Aſſembly of the States, under that Character; of which great Priviledge, the Crown had been poſſeſs'd from a great part of the Reign of Queen *Elizabeth*, and through the time of King *James*, to that moment; which adminiſtred freſh matter of Murmur for the giving up the Towns of the *Brill*, and *Fluſhing*, which had been done ſome years before by King *James*; without which men thought thoſe States would not have had the courage ſo ſoon to have degraded the Crown of *England* from a Place in their Councils, which had proſper'd ſo eminently under the Shadow of that Power, and Support. As ſoon as he return'd from *Holland*, he was call'd to the Privy-Council. The making him Secretary of State, and a Peer of the Realm, when his Eſtate was ſcarce viſible, was the laſt piece of Workmanſhip the Duke of *Buckingham* liv'd to finiſh, who ſeldom ſatisfied himſelf with conferring a ſingle obligation.

The Riſe of Arch-Biſhop Laud's Power in the Church.

The Duke had obſerv'd, and diſcover'd, that the channel, in which the Church Promotions had formerly run, had been liable to ſome corruptions, at leaſt to many reproaches; and therefore had committed the ſole repreſentation of thoſe affairs, and the recommending to the Vacancies which ſhould happen, to Dr. *Laud*, then Biſhop of *Bath* and *Wells*, and ſworn of the Privy-Council. And the King after the Duke's death, continued that truſt in the ſame Hands, infinitely to the Benefit, and Honour of the Church, though it may be no leſs to the Prejudice of the Poor Biſhop; who, too ſecure in a good Conſcience, and moſt ſincere worthy Intention (with which no man was ever more plentifully repleniſh'd) thought he could manage, and diſcharge the place, and office of the Greateſt Miniſter in the Court (for he was quickly made Arch-Biſhop of *Canterbury*) without the leaſt condeſcenſion to the Arts, and Stratagems of the Court, and without any other Friendſhip, or Support, than what the ſplendor of a Pious life, and his unpoliſh'd Integrity would reconcile to him: Which was an unskilful meaſure in a Licentious age, and may deceive a good man in the beſt times that ſhall ſucceed; which expoſed him to ſuch a torrent of Adverſity, and Miſery, as we ſhall have too natural an occaſion to Lament in the following Diſcourſe, in which it will be more ſeaſonable to enlarge upon his ſingular Abilities, and immenſe Virtue.

There were more (too many more) Honourable Perſons in that time of the Privy-Council, whoſe Faculties were not notorious enough to give them any great part in the Affairs, nor had their Advice much Influence upon them. Other very notable Men were ſhortly after added to the Council, who will hereafter be remembred in their proper Places, and Seaſons. What hath been ſaid before contains Information enough of the Perſons in Employment, and the State of the Court, and Kingdom, when the Duke of *Buckingham* was taken from it; by which, and the lively Reflexions upon the Qualities, and Qualifications of the ſeveral Perſons in Authority in Court, and Council, no man could expect that the vigorous deſigns, and enterprizes, undertaken by the Duke, would be purſued with equal reſolution, and courage: but that much the greater part of them would be wholly intent upon their own accommodations in their Fortunes (in which they abounded not) or in their Eaſe, and Pleaſure, which they moſt paſſionately affected; having, as hath been ſaid, no other conſideration of the Publick, than that no diſturbance therein might interrupt their quiet in their own days: And that the reſt, who had larger hearts, and more publick ſpirits, would extend their labour, activity, and advice, only to Secure the empire at Home by all Peaceable arts, and advancement of Trade, which might gratify the People, and fill the empty Coffers of the impoveriſh'd Crown. To which end the moſt proper expedients were beſt underſtood by them, not to enlarge it, by continuing, and propagating the War, the ways, and means whereof they knew not how to comprehend, and had all the deſperate imaginations, and jealouſies of the end and neceſſary conſequences of it. And ſo they All concurr'd (though in nothing elſe) in their unanimous Advice to the King "to put the quick-"eſt Period, he could poſſibly, to the expenſive War againſt the two Crowns: and his Majeſty following their Advice a Peace was made with both, upon Better terms, and conditions, and in Leſs time, than from the known Impatience of the War could reaſonably have been expected, or hoped for. And after ſome unquietneſs of the People, and unhappy aſſaults upon the Prerogative by the Parliament, which produced its Diſſolution, and thereupon ſome froward and obſtinate diſturbances in Trade; there quickly follow'd ſo excellent a Compoſure throughout the whole King-

A Peace with the two Crowns.

The third Parliament Diſſolv'd.

dom, that the like Peace, and Plenty, and univerſal Tranquility for ten years was never enjoy'd by any Nation; and was the more viſible, and manifeſt in *England*, by the ſharp and bloody War ſuddainly entred into between the two neighbour Crowns, and the univerſal Conflagration that, from the Invaſion of the *Swedes*, cover'd the whole Empire of *Germany*. And ſo we ſhall return to the Diſcourſe, to which this very long Digreſſion hath given a greater interruption than was intended.

The Ill effects of the proclamation ſet forth upon breaking up of the ſecond Parliament.

That Proclamation, mention'd before, at the breaking up of the laſt Parliament, and which was commonly underſtood " to inhibit all men to Speak of another Par- " liament, produced two very Ill Effects of different natures. It afflicted many Good men (who otherwiſe were enough ſcandalized at thoſe Diſtempers, which had Incenſed the King) to that degree, that it made them capable of receiving ſome Impreſſions from Thoſe, who were diligent in whiſpering and infuſing an opinion into men, " that there was really an Intention to Alter the form of Government both in " Church, and State ; of which, ſay they, a greater Inſtance cannot be given, than " this publick declaring (as it was interpreted) that we ſhall have no more Parlia- " ments. Then, this freedom from the danger of ſuch an Inquiſition did not only encourage Ill men to all boldneſs and licence, but wrought ſo far upon Men leſs inclined to ill (though not built for Examples) that they kept not thoſe ſtrict guards upon themſelves, they uſed to do ; eſpecially if they found themſelves above the reach of ordinary Juſtice, and fear'd not extraordinary, they by degrees thought that no Fault, which was like to find no Puniſhment. Supplemental Acts of State were made to ſupply defect of Laws ; and ſo Tonnage, and Poundage, and other duties upon Merchandizes were collected by Order of the Board, which had been poſitively refuſed to be ſettled by Act of Parliament, and new, and greater Impoſitions laid upon Trade : Obſolete Laws were revived, and rigorouſly executed, wherein the Subject might be taught how unthrifty a thing it was, by too ſtrict a detaining of what was His, to put the King as ſtrictly to enquire what was his Own.

Projects of all kinds.

That of Knighthood.

By this Ill husbandry the King receiv'd a vaſt Sum of money from all Perſons of Quality, or indeed of any reaſonable condition throughout the Kingdom, upon the Law of Knighthood ; which, though it had a foundation in Right, yet, in the circumſtances of Proceeding, was very grievous. And no leſs unjuſt Projects of all kinds. Many ridiculous, Many ſcandalous, All very grievous, were ſet on foot ; the Envy, and Reproach of which came to the King, the Profit to other men : Inſomuch that, of two hundred thouſand pounds drawn from the Subject, by theſe ways, in a year, ſcarce fifteen hundred came to the King's uſe, or account. To recompenſe the damage the Crown ſuſtain'd by the Sale of the old Lands, and by the Grant of new Penſions, the old Laws of the Forreſt were revived, by which not only great Fines were impoſed, but great annual Rents intended, and like to be ſettled by way of Contract ; which Burthen lighted moſt upon Perſons of Quality, and Honour, who thought themſelves above ordinary oppreſſions, and were therefore like to remember it with more ſharpneſs. Laſtly, for a Spring and Magazine, that ſhould have no bottom, and for an everlaſting Supply of all occaſions, a Writ was framed in a Form of Law, and directed to the Sheriff of every County of *England*, to " provide a Sip of War for the King's ſervice, and to ſend it amply provided, and fitted by ſuch a day, to ſuch a place ; and with that Writ, were ſent to each Sheriff, Inſtructions, that, " Inſtead of a Ship, he ſhould levy upon his County " ſuch a Sum of Money, and return the ſame to the Treaſurer of the Navy for his " Majeſty's uſe, with direction, in what manner he ſhould proceed againſt ſuch as refuſed : and from hence that Tax had the denomination of *Ship-money* ; a word of a laſting ſound in the memory of this Kingdom ; by which for ſome years really accrew'd the yearly Sum of two hundred thouſand pounds to the King's Coffers : and it was in truth the only Project, that was accounted to his Own ſervice. And, after the continued receipt of it for about four years together, it was at laſt (upon the refuſal of a Private Gentleman to pay twenty or thirty Shillings as his ſhare) with great ſolemnity publickly Argued before all the Judges of *England* in the Exchequer-Chamber, and by much the major part of them, the King's right to Impoſe, aſſerted, and the Tax adjudged Lawful : which Judgment proved of more advantage, and credit to the Gentleman condemn'd (Mr. *Hambden*) than to the King's ſervice.

That of reviving Forreſt Laws.

That of Ship-money.

For

For the better ſupport of theſe extraordinary ways, and to protect the Agents, and Inſtruments who muſt be employ'd in them, and to diſcountenance, and ſuppreſs all bold Enquiries, and Oppoſers, the Council-Table, and Star-Chamber enlarge their Juriſdictions to a vaſt extent, "holding (as *Thucydides* ſaith of the *Athenians*) for "Honourable, that which Pleaſed, and for Juſt, that which Profited; and being the ſame Perſons in ſeveral Rooms, grew both Courts of Law to determine Right, and Courts of Revenue to bring Money into the Treaſury; the Council-Table by Proclamations enjoyning to the People, what was not enjoyn'd by the Law, and prohibiting that which was not prohibited; and the Star-Chamber cenſuring the breach, and diſobedience to thoſe Proclamations by very great Fines, and Impriſonment; ſo that any diſreſpect to any Acts of State, or to the Perſons of States-men, was in no time more penal, and thoſe Foundations of Right, by which men valued their Security, to the apprehenſion, and underſtanding of wiſe Men, never more in danger to be deſtroy'd. *The Powers of the Council-Table and Star-Chamber enlarged.*

And here I cannot but again take the liberty to ſay, that the Circumſtances, and Proceedings in thoſe new extraordinary caſes, ſtratagems, and impoſitions were very Unpolitick, and even deſtructive to the Services intended. And if the buſineſs of Ship-money, being an impoſition by the State, under the notion of neceſſity upon a proſpect of danger, which private perſons could not modeſtly think themſelves qualified to diſcern, had been managed in the ſame extraordinary way, as the Royal Loan (which was the impoſing the five Subſidies after the ſecond Parliament ſpoken of before) was; men would much eaſier have ſubmitted to it; as it is notoriouſly known, that Preſſure was born with much more chearfulneſs before the Judgment for the King than ever it was after; Men before pleaſing themſelves with doing ſomewhat for the King's Service, as a teſtimony of their Affection, which they were not bound to do; many really believing the neceſſity, and therefore thinking the Burthen reaſonable; others obſerving that the advantage to the King was of importance, when the damage to them was not conſiderable; and all aſſuring themſelves, that when they ſhould be weary, or unwilling to continue the Payment, they might reſort to the Law for Relief, and find it. But when they heard this demanded in a Court of Law, as a right, and found it, by ſworn Judges of the Law, adjudged ſo, upon ſuch grounds and reaſons as every Stander-by was able to ſwear was not Law, and ſo had loſt the pleaſure and delight of being Kind, and Dutiful to the King; and inſtead of giving, were required to pay, and by a Logick, that left no man any thing, which he might call his own; they no more look'd upon it as the caſe of one Man, but the Caſe of the Kingdom, nor as an impoſition laid upon them by the King, but by the Judges; which they thought themſelves bound in Conſcience to the publick Juſtice not to Submit to. It was an obſervation long ago by *Thucydides*, "that "men are much more paſſionate for Injuſtice, than for Violence; becauſe, ſays he, "the one coming as from an equal, ſeems rapine; when the other proceeding from "one ſtronger, is but the effect of neceſſity. So, when Ship-money was tranſacted at the Council-Board, they look'd upon it as a work of that Power, they were all obliged to truſt, and an effect of that Foreſight, they were naturally to rely upon. Imminent Neceſſity, and publick Safety were convincing perſwaſions; and it might not ſeem of apparent ill conſequence to them, that upon an emergent occaſion, the Regal Power, ſhould fill up an *hiatus*, or ſupply an impotency in the Law. But when they ſaw in a Court of Law (that Law, that gave them title to, and poſſeſſion of all that they had) Reaſon of State urged as Elements of Law, Judges as Sharpſighted as Secretaries of State, and in the myſteries of State; Judgment of Law grounded upon Matter of Fact, of which there was neither enquiry, nor proof, and no Reaſon given for the payment of the thirty Shillings in queſtion, but what included the Eſtates of all the Standers-by, they had no reaſon to hope that Doctrine, or the Promoters of it would be contain'd within any bounds; and it was no wonder that they, who had ſo little reaſon to be pleaſed with their own condition, were not leſs ſollicitous for, or apprehenſive of the inconveniencies that might attend any alteration.

And here the damage, and miſchief cannot be expreſs'd, that the Crown, and State ſuſtain'd by the deſerv'd reproach, and infamy that atttended the Judges, by being made uſe of in this, and like acts of power; there being no poſſibility to preſerve the Dignity, Reverence, and Eſtimation of the Laws themſelves, but by the Integrity and Innocency of the Judges. And no queſtion, as the exorbitancy of the Houſe of Commons, in the next Parliament, proceeded principally from their contempt of the

the Laws, and that Contempt from the Scandal of that Judgment: ſo the concurrence of the Houſe of Peers in that fury, can be imputed to no one thing more, than to the irreverence and ſcorn the Judges were juſtly in; who had been always before look'd upon there as the oracles of the Law, and the beſt Guides to aſſiſt that Houſe in their opinions, and actions: And the Lords now thought themſelves excuſed for ſwerving from the rules and cuſtoms of their Predeceſſors (who in altering, and making of Laws, in judging of Things, and Perſons, had always obſerv'd the advice, and judgment of thoſe Sages) in not asking queſtions of Thoſe, whom they knew no body would believe; thinking it a juſt reproach upon them (who out of their Courtſhip had ſubmitted the difficulties, and myſteries of the Law, to be meaſured by the ſtandard of what they call General Reaſon, and explain'd by the Wiſdom of State) that They themſelves ſhould make uſe of the Licence, which the Others had taught them, and determine that to be Law, which they thought to be reaſonable or found to be convenient. If theſe men had preſerv'd the ſimplicity of their Anceſtors, in ſeverely, and ſtrictly defending the Laws, Other men had obſerv'd the modeſty of Theirs, in humbly, and dutifully Obeying them.

Upon this Conſideration it is very obſervable, that in the wiſdom of former times, when the Prerogative went higheſt (as very often it hath been ſwoln above any pitch we have ſeen it at in our times) never any Court of Law, very ſeldom any Judge, or Lawyer of Reputation was call'd upon to aſſiſt in an Act of Power; the Crown well knowing the moment of keeping thoſe the objects of reverence, and veneration with the People: and that though it migh ſometimes make ſallies upon them by the Prerogative, yet the Law would keep the People from any invaſion of it, and that the King could never ſuffer, whilſt the Law, and the Judges were look'd upon by the Subject, as the *Aſylum* for their Liberties, and Security. And therefore you ſhall find the Policy of many Princes hath endured as ſharp Animadverſions, and Reprehenſions from the Judges of the Law, as their Piety hath from the Biſhops of the Church; as having no leſs influence upon the People, under the reputation of Juſtice, by the one, than under the tyes of Conſcience, and Religion, by the other.

To extend this Conſideration of the form, and circumſtance in proceeding in Caſes of an unuſual nature a little farther; As it may be moſt behoveful for Princes in matters of grace, and honour, and in conferring of favours upon their People, to tranſact the ſame as publickly as may be, and by Themſelves, or their Miniſters to dilate upon it, and improve the luſtre by any addition, or eloquence of Speech (where, it may be, every kind word, eſpecially from the Prince himſelf, is look'd upon as a new bounty); So it is as requiſite in matters of judgment, puniſhment, and cenſure upon Things, or Perſons (eſpecially when the Caſe, in the nature of it, is unuſual, and the rules in Judging as extraordinary) that the ſame be tranſacted as privately, and with as little noiſe, and pomp of words, as may be. For (as Damage is much eaſier born, and ſubmitted to by generous minds, than Diſgrace) in the buſineſs of Ship-money, and many other Caſes in the Star-Chamber, and at Council-board, there were many impertinencies, incongruities, and inſolencies, in the Speeches, and Orations of the Judges, much more offenſive, and much more ſcandalous than the Judgments, and Sentences themſelves. Beſides that mens minds, and underſtandings were more inſtructed to diſcern the conſequence of things, which before they conſider'd not. And undoubtedly my Lord *Finch's* Speech in the Exchequer-Chamber made Ship-money much more abhor'd, and formidable, than all the Commitments by the Council-Table, and all the Diſtreſſes taken by the Sheriffs in *England*: the major part of men (beſides the common unconcernedneſs in other mens ſufferings) looking upon thoſe Proceedings with a kind of applauſe to themſelves, to ſee other men puniſh'd, for not doing as they had done; which delight was quickly determin'd, when they found their own intereſt, by the unneceſſary Logick of that Argument, no leſs concluded than Mr. *Hambdens*.

He hath been but an ill obſerver of the Paſſages of thoſe times we ſpeak of, who hath not ſeen many ſober men, who have been clearly ſatisfy'd with the conveniency, neceſſity, and juſtice of many Sentences, depart notwithſtanding extreamly offended, and ſcandalized with the grounds, reaſons, and expreſſions of Thoſe who inflicted thoſe cenſures; when they found themſelves, thinking to be only Spectators of other mens ſufferings, by ſome unneceſſary Inference or Declaration, in probable danger to become the next Delinquents.

They

They who look back upon the Council-Books of Queen *Elizabeth*, and the Acts of the Star-Chamber then, ſhall find as high inſtances of Power, and Soveraignty upon the Liberty, and Property of the Subject, as can be ſince given. But the art, order, and gravity of thoſe Proceedings (where ſhort, ſevere, conſtant rules were ſet, and ſmartly purſued, and the party felt only the weight of the Judgment, not the paſſion of his Judges) made them leſs taken notice of, and ſo leſs grievous to the Publick, though as intolerable to the Perſon: whereas, ſince thoſe excellent rules of the Council-Board were leſs obſerv'd, and debates (which ought to be in private, and in the abſence of the party concern'd, and thereupon the Judgment of the Table to be pronounced by one, without the interpoſition of others, or reply of the party) ſuffer'd to be publick, queſtions to be ask'd, paſſions diſcover'd, and opinions to be promiſcuouſly deliver'd; all advice, directions, reprehenſions, and cenſures of thoſe Places grew to be in leſs reverence, and eſteem: ſo that, beſides the delay, and interruption in diſpatch, the juſtice, and prudence of the Counſels did not many times weigh down the infirmity, and paſſion of the Counſellors; and both Suitors, and Offenders return'd into their Country, with ſuch exceptions, and arguments againſt Perſons, as brought, and prepared much prejudice to whatſoever ſhould proceed from thence; and whatever Excuſes ſhall be made, or Arguments given, that upon ſuch extraordinary occaſions there was a neceſſity of ſome pains, and care to convince men's underſtandings of the reaſons and grounds of their Proceeding (which, if what was done, had been only *ad informandam Conſcientiam* without reproach, or penalty, might have been reaſonable) it is certain the inconvenience, and prejudice, that grew thereby, was greater than the benefit: and the reaſons of the Judges being many times not the reaſons of the Judgment, thoſe might more ſatisfactorily, and more ſhortly have been put in the Sentence it ſelf, than ſpread in the Diſcourſes of the Cenſurers.

Theſe Errors (for Errors they were in View, and Errors they are proved by the Succeſs) are not to be imputed to the Court, but to the Spirit, and Over-activity of the Lawyers themſelves; who ſhould more carefully have preſerv'd their Profeſſion, and its Profeſſors, from being profaned by thoſe Services, which have rendred both ſo obnoxious to reproach. There were two Perſons of that Profeſſion, and of that time, by whoſe ſeveral, and diſtinct conſtitutions (the one knowing nothing of, nor caring for the Court; the other knowing, and caring for nothing elſe) thoſe Miſchiefs were introduced, Mr. *Noy*, the Attourney General, and Sr. *John Finch*, firſt, Lord Chief Juſtice of the Common Pleas, and then Lord Keeper of the Great Seal of *England*.

Of Attourney General Noy.

The Firſt upon the great fame of his Ability, and Learning (and he was very Able and Learned) was, by great induſtry, and importunity from Court, perſwaded to accept that Place, for which all other men labour'd (being the beſt for Profit, that Profeſſion is capable of) and ſo he ſuffer'd himſelf to be made the King's Attourney General. The Court made no impreſſion upon his Manners; upon his Mind it did: and though he wore about him an affected moroſity, which made him unapt to flatter other men, yet even that moroſity, and pride rendred him the moſt liable to be groſly flatter'd himſelf, that can be imagin'd. And by this means the great Perſons, who ſteer'd the Publick Affairs, by admiring his Parts, and extolling his Judgment as well to his face, as behind his back, wrought upon him by degrees, for the eminency of the Service, to be an Inſtrument in all their Deſigns; thinking that he could not give a clearer teſtimony, that his knowledge in the Law was greater than all other mens, than by making that Law, which all other men believ'd not to be ſo. So he moulded, framed, and purſued the odious, and crying Project of Soap; and with his own hand drew, and prepared the Writ for Ship-money; both which will be the laſting monuments of his Fame. In a word, he was an unanſwerable inſtance, how neceſſary a good Education and knowledge of Men is to make a wiſe man, at leaſt a man fit for buſineſs.

Of Sr. John Finch.

Sr. *John Finch* had Much that the other wanted, but Nothing that the other had. Having lead a free life in a reſtrained fortune, and having ſet up upon the ſtock of a good Wit, and natural Parts, without the ſuperſtructure of much knowledge in the Profeſſion, by which he was to grow; he was willing to uſe thoſe Weapons, in which he had moſt Skill, and ſo (being not unſeen in the affections of the Court, but not having reputation enough to guide, or reform them) he took up Ship-money, where Mr. *Noy* left it; and, being a Judge, carried it up to that pinacle, from whence he almoſt broke his own neck; having, in his journey thither, had too much influence on his Brethren to induce them to concur in a Judgment, they had

all cauſe to repent. To which, his Declaration, after he was Keeper of the Great-Seal of *England*, muſt be added, upon a Demurrer put in to a Bill before him, which had no other Equity in it, than an order of the Lords of the Council; "that "whilſt he was Keeper, no man ſhould be ſo ſawcy as to diſpute thoſe Orders, but "that the Wiſdom of that Board ſhould be always ground enough for Him to make "a Decree in Chancery; which was ſo great an aggravation of the Exceſs of that Table, that it receiv'd more prejudice from that act of unreaſonable Countenance, and Reſpect, than from all the Contempt could poſſibly have been offer'd to it. But of this no more.

The Felicity of the Times before the long Parliament notſtanding ſome Invaſions on the Subject:

Now after all this (and I hope I cannot be accuſed of much Flattery in this Inquiſition) I muſt be ſo Juſt as to ſay, that, during the whole time that theſe Preſſures were exerciſed, and thoſe new, and extraordinary Ways were run, that is, from the diſſolution of the Parliament in the Fourth year, to the beginning of this Parliament, which was above twelve years, this Kingdom, and all his Majeſty's Dominions (of the Interruption in *Scotland* ſomewhat ſhall be ſaid in its due time and place) enjoy'd the greateſt Calm, and the fulleſt meaſure of Felicity, that any People in any Age, for ſo long time together, have been bleſs'd with; to the wonder and envy of all the other parts of *Chriſtendom*.

Compared with the times of Queen Elizabeth:

In this Compariſon I am neither unmindful of, nor ungrateful for the Happy times of Queen *Elizabeth*, and King *James*. But for the former, the doubts, hazards, and perplexities upon a total change, and alteration of Religion, and ſome confident Attempts upon a further alteration by Thoſe who thought the Reformation not carry'd far enough; the charge, trouble, and anxiety of a long continued War (how proſperous, and ſucceſsful ſoever) even during that Queen's whole Reign; and (beſides ſome domeſtick ruptures into Rebellion, frequently into Treaſon; and beſides the blemiſh of an unparallel'd Act of Blood upon the Life of a Crown'd neighbour Queen and Ally) the fear, and apprehenſion of what was to come (which is one of the moſt unpleaſant kinds of Melancholy) from an unknown, at leaſt an unacknowledg'd Succeſſor to the Crown, clouded much of that Proſperity then, which now ſhines with ſo much ſplendor before our eyes in Chronicle.

And with the times of King James.

And for the other under King *James* (which indeed were excellent times, *bona ſi ſua norint*) the mingling with a Stranger Nation, formerly not very gracious with This; which was like to have more Intereſt of Favour: the ſubjection to a Stranger Prince, whoſe nature, and diſpoſition they knew not: the diſcovery of a Treaſon, the moſt prodigious that had ever been attempted, upon his firſt entrance into the Kingdom: the Wants of the Crown not inferior to what it hath ſince felt (I mean whilſt it ſate right on the head of the King) and the Preſſures upon the Subject of the ſame nature, and no leſs complain'd of: the Abſence of the Prince in *Spain*, and the ſollicitude that his Highneſs ſhould not be diſpoſed in marriage to the Daughter of that Kingdom, rendred the Calm and Tranquility of that time leſs equal, and pleaſant. To which may be added the Proſperity and Happineſs of the Neighbour Kingdoms not much inferior to that of this, which, according to the pulſe of States, is a great diminution of their health; at leaſt their Proſperity is much improved, and more viſible by the Miſery, and Misfortunes of their Neighbours.

The Happineſs of the times, I now mention, was invidiouſly ſet off by this diſtinction, that every other Kingdom, every other State were entangled, and ſome almoſt deſtroy'd by the rage, and fury of Arms; thoſe who were engaged in an ambitious Contention with their Neighbours, having the view, and apprehenſions of the Miſeries, and Deſolations, which they ſaw other States ſuffer by a Civil War; whilſt the Kingdoms we now lament, were alone look'd upon as the Garden of the World; *Scotland* (which was but the Wilderneſs of that Garden) in a full, entire, and undiſturb'd Peace, which they had never ſeen; the rage, and barbariſm of their private Feuds being compoſed to the reverence or to the aw of publick Juſtice; in a competency, if not in an exceſs of Plenty, which they had never hopes to ſee, and in a temper (which was the utmoſt that in thoſe days was deſired or hoped for) free from Rebellion. *Ireland*, which had been a Spunge to draw, and a Gulph to ſwallow all that could be ſpared, and all that could be got from *England*, meerly to keep the Reputation of a Kingdom, reduced to that good degree of Husbandry, and Government, that it not only ſubſiſted of it ſelf, and gave this Kingdom all that it might have expected from it; but really encreaſed the Revenue of the Crown forty or fifty thouſand pounds a year, beſide a conſiderable Advantage to the People by the Traffick, and trade from thence; Arts, and Sciences fruitfully planted there; and the

the whole Nation beginning to be ſo Civiliz'd, that it was a Jewel of great Luſtre in the Royal Diadem.

When theſe Outworks were thus fortified, and adorn'd, it was no wonder, if *England* was generally thought ſecure, with the advantages of its own Climate; the Court in great Plenty, or rather, (which is the diſcredit of Plenty) exceſs, and luxury; the Country rich, and which is more, fully enjoying the pleaſure of its own wealth, and ſo the eaſier corrupted with the pride, and wantonneſs of it; the Church flouriſhing with learned, and extraordinary Men, and (which other good times had in ſome degree wanted) ſupplied with Oyl to feed thoſe Lamps; and the Proteſtant Religion more advanced againſt the Church of *Rome* by Writing (without prejudice to other Uſeful, and Godly labours) eſpecially by thoſe two Books of the late Lord Arch-Biſhop of *Canterbury* his Grace, and of Mr. *Chillingworth*, than it had been from the Reformation; Trade encreaſed to that degree, that we were the Exchange of *Chriſtendom* (the Revenue from thence to the Crown being almoſt double to what it had been in the beſt times) and the Bullion of neighbour Kingdoms brought to receive a Stamp from the Mint of *England*; Forreign Merchants looking upon nothing ſo much their own, as what they had laid up in the Warehouſes of this Kingdom; the Royal Navy, in number and equipage much above former times, very formidable at Sea; and the reputation of the Greatneſs, and Power of the King much more with forreign Princes than any of his Progenitors: for thoſe rough Courſes, which made him perhaps leſs lov'd at home, made him more Fear'd abroad; by how much the Power of Kingdoms is more reverenced than their Juſtice by their Neighbours: and it may be this Conſideration might not be the leaſt Motive, and may not be the worſt Excuſe for thoſe Councils. Laſtly for a Complement of all theſe Bleſſings, they were enjoy'd by, and under the Protection of a King, of the moſt harmleſs Diſpoſition, the moſt exemplary Piety, the greateſt Sobriety, Chaſtity, and Mercy, that any Prince hath been endow'd with (God forgive thoſe that have not been Senſible of, and Thankful for thoſe endowments) and who might have ſaid, that which *Pericles* was proud of, upon his death-bed, concerning his Citizens, "that no *Engliſh*-man had ever worn a Mourning Gown through his "occaſion. In a word, many wiſe Men thought it a time, wherein thoſe two Adjuncts, which *Nerva* was Deified for uniting, *Imperium & Libertas*, were as well reconciled, as is poſſible.

But all theſe Bleſſings could but enable, not compel us to be happy: we wanted that Senſe, Acknowledgment, and Value of our own Happineſs, which All but We had: and took pains to make, when we could not find, our ſelves Miſerable. There was in truth a ſtrange abſence of underſtanding in moſt, and a ſtrange perverſeneſs of underſtanding in the reſt: the Court full of exceſs, idleneſs, and luxury; the Country full of pride, mutiny, and diſcontent; every man more troubled and perplex'd at that they call'd the Violation of one Law, than delighted, or pleaſed with the Obſervation of all the reſt of the Charter; never imputing the Increaſe of their Receipts, Revenue, and Plenty to the Wiſdom, Virtue, and Merit of the Crown, but objecting every ſmall Impoſition, to the exorbitancy, and tyranny of the Government; the growth of Knowledge, and Learning being diſreliſh'd, for the Infirmities of ſome learned Men, and the increaſe of Grace, and Favour upon the Church more repined, and murmur'd at, than the increaſe of Piety and Devotion in it, which was as viſible, acknowledg'd, or taken notice of; whilſt the Indiſcretion and Folly of one Sermon at *White-Hall* was more bruited abroad, and commented upon, than the Wiſdom, Sobriety, and Devotion of a hundred.

It cannot be denied but there was ſometimes Preach'd there Matter very unfit for the Place, and very ſcandalous for the Perſons, who preſumed often to determine things out of the verge of their own Profeſſion, and, *in ordine ad Spiritualia*, gave unto Cæſar, what Cæſar refuſed to receive, as not belonging to him. But it is as true (as was once ſaid by a Man fitter to be believ'd in that point than I, and one not ſuſpected for flattering of the Clergy) "that if the Sermons of thoſe times Preach'd "in Court, were collected together, and publiſh'd, the world would receive the beſt "Bulk of Orthodox Divinity, profound Learning, convincing Reaſon, natural pow-"erful Eloquence, and admirable Devotion, that hath been communicated in any age "ſince the Apoſtle's time. And I cannot but ſay, for the honour of the King, and of thoſe, who were truſted by him in his Eccleſiaſtical collations (who have receiv'd but ſad rewards for their uprightneſs) in thoſe reproach'd, condemn'd times, there was not one Church-man, in any degree of favour, or acceptance, (and this the Inquiſition

ſition, that hath been ſince made upon them, a ſtricter never was in any Age, muſt confeſs) of a ſcandalous inſufficiency in Learning, or of a more ſcandalous condition of Life; but on the contrary, moſt of them of confeſs'd eminent parts in Knowledge, and of virtuous and unblemiſh'd Lives. And therefore Wiſe men knew, that That, which look'd like Pride in ſome, and like Petulance in others, would, by Experience in affairs, and Converſation amongſt men, both of which moſt of them wanted, be in time wrought off, or, in a new Succeſſion, reform'd, and ſo thought the vaſt advantage from their Learning, and Integrity, an ample recompenſe for any inconvenience from their Paſſion; and yet by the prodigious Impiety of thoſe times, the latter was only look'd on with malice, and revenge, without any reverence, or gratitude for the former.

The King's firſt Journey into Scotland *to be Crown'd there.*

When the King found himſelf poſſeſs'd of all that Tranquility mention'd before, that he had no reaſon to apprehend any Enemies from abroad, and leſs any Inſurrections at home, againſt which no Kingdom in *Chriſtendom*, in the conſtitution of its Government, in the ſolidity of the Laws, and in the nature and diſpoſition of the People, was more ſecure than *England*; that He might take a nearer view of thoſe great Bleſſings which God had poured upon him, he reſolv'd to make a Progreſs into the Northern parts of his Kingdom, and to be ſolemnly Crown'd in his Kingdom of *Scotland*, which he had never ſeen from the time he had firſt left it, when he was about two years old. In order to this Journey, which was made with great Splendor, and proportionable Expence, he added to the Train of his Court many of the greateſt Nobility, who increaſed the Pomp of the Court at their own charge (for ſo they were required to do) and ſeem'd with alacrity to ſubmit to the King's pleaſure, as ſoon as they knew his deſire; and ſo his Attendance in all reſpects was proportionable to the Glory of the greateſt King.

This whole Progreſs was made from the firſt ſetting out, to the end of it, with the greateſt Magnificence imaginable; and the higheſt exceſs of Feaſting was then introduced, or, at leaſt, Feaſting was then carried to a height, it never had attain'd before, from whence it hardly declin'd afterwards, to the great damage, and miſchief of the Nation in their Eſtates, and Manners. All Perſons of Quality, and Condition, who liv'd within diſtance of the Northern Road, receiv'd the great perſons of the Nobility with that Hoſpitality, which became them; in which all coſt was employ'd to make their Entertainments ſplendid, and their Houſes capable of thoſe entertainments. The King himſelf met with many entertainments of that nature, at the charge of particular Men, who deſired the honour of his Preſence, which had been rarely practiſed till then by the Perſons of the beſt Condition, though it hath ſince grown into a very inconvenient cuſtom. But when he paſs'd through *Nottingham-ſhire*, both King, and Court were receiv'd, and entertain'd by the Earl of *Newcaſtle*, and at his own proper expence, in ſuch a wonderful manner, and in ſuch an exceſs of Feaſting, as had ſcarce ever before been known in *England*; and would be ſtill thought very prodigious, if the ſame noble Perſon had not, within a year or two afterwards, made the King, and Queen a more ſtupendious Entertainment; which (God be thanked) though poſſibly it might too much whet the appetite of others to Exceſs, no man ever after in thoſe days Imitated.

The great Offices of the Court, and principal places of Attendance upon the King's Perſon, were then upon the matter equally divided between the *Engliſh*, and the *Scots*; the Marquis of *Hamilton* Maſter of the Horſe, and the Earl of *Carliſle* firſt Gentleman of the Bedchamber, and almoſt all the ſecond rank of Servants in that place, being of that Kingdom; ſo that there was as it were, an Emulation between the two Nations, which ſhould appear in the greateſt Luſtre, in Cloaths, Horſes, and Attendance: and as there were (as is ſaid before) many of the principal Nobility of *England*, who attended upon the King, and who were not of the Court; ſo the Court was never without many *Scots* Voluntiers, and their number was well increaſed upon this occaſion in Nobility and Gentry, who were reſolv'd to confute all thoſe, who had believ'd their Country to be very poor.

The King's Magnificent Reception there.

The King no ſooner entred *Scotland*, but all his *Engliſh* Servants, and Officers yielded up their Attendance to thoſe of the *Scots* Nation, who were admitted into the ſame Offices in *Scotland*, or had ſome Titles to thoſe Employments by the Conſtitution of that Kingdom; as moſt of the great Offices are held by Inheritance; as the Duke of *Richmond* and *Lenox* was then high Steward, and high Admiral of *Scotland* by Deſcent, as Others had the like poſſeſſion of other Places; ſo that all the Tables of the Houſe, which had been kept by the *Engliſh* Officers, were laid down, and taken

taken up again by the *Scots*, who kept them up with the ſame order, and equal ſplendor, and treated the *Engliſh* with all the freedom, and courteſy imaginable: as all the Nobility of that Nation did, at their own expence, where their Offices did not entitle them to Tables at the charge of the Crown, keep very noble Houſes to entertain their new Gueſts; who had ſo often, and ſo well entertain'd them: and it cannot be denied, the whole behaviour of that Nation towards the *Engliſh* was as generous, and obliging as could be expected; and the King appear'd with no leſs Luſtre at *Edenborough*, than at *White-Hall*; and in this Pomp his Coronation paſs'd with all the Solemnity, and evidence of publick Joy that could be expected, or that can be imagin'd; and the Parliament, then held, with no leſs demonſtration of Duty, paſs'd and preſented thoſe Acts which were prepared for them to the Royal Scepter; in which were ſome Laws reſtraining the extravagant power of the Nobility, which, in many caſes, they had long exerciſed, and the diminution whereof they took very heavily, though at that time they took little notice of it; the King being abſolutely adviſed in all the Affairs of that Kingdom then, and long before, and after, by the ſole counſel of the Marquis of *Hamilton*, who was, or at leaſt, was then believ'd to be of the greateſt Intereſt of any Subject in that Kingdom, of whom more will be ſaid hereafter.

The King was very well pleaſed with his Reception, and with all the Tranſactions there; nor indeed was there any thing to be blamed, but the luxury, and vaſt expence, which abounded in all reſpects of Feaſting and Cloaths with too much licence: which being imputed to the commendable zeal of the People, of all conditions, to ſee their King amongſt them, whom they were not like to ſee there again, and ſo their expence was to be but once made, no man had cauſe to ſuſpect any miſchief from it: and yet the Debts contracted at that time by the Nobility, and Gentry, and the Wants and Temptations they found themſelves expoſed to, from that unlimited Expence, did very much contribute to the kindling that Fire, which ſhortly after broke out in ſo terrible a combuſtion: nor were the ſparks of Murmur, and Sedition then ſo well cover'd, but that many diſcerning men diſcover'd very pernicious Deſigns to lurk in Their breaſts, who ſeem'd to have the moſt chearful Countenances, and who acted great parts in the Pomp and Triumph. And it evidently appear'd, that They of that Nation, who Shined moſt in the Court of *England*, had the leaſt Influence in their own Country, except only the Marquis of *Hamilton* whoſe affection to his Maſter was even then ſuſpected by the wiſeſt Men in both Kingdoms; and that the immenſe Bounties the King and his Father had ſcatter'd amongſt Thoſe of that Nation, out of the Wealth of *England*, beſides that he had ſacrificed the whole Revenue of that Kingdom to Themſelves, were not look'd upon as any benefit to that Nation, but as obligations caſt away upon particular Men; many of whom had with it waſted their own Patrimony in their Country.

Yet the Seeds of the ſucceeding Commotions then ſown.

The King himſelf obſerv'd many of the Nobility to endeavour to make themſelves popular by ſpeaking in Parliament againſt thoſe things which were moſt grateful to his Majeſty, and which ſtill Paſs'd notwithſtanding their contradiction; and he thought a little Diſcountenance upon thoſe Perſons would either ſuppreſs that Spirit within themſelves, or make the Poyſon of it leſs operative upon others. But as thoſe acts of Diſcountenance were too often believ'd to proceed from the diſpleaſure of the Marquis of *Hamilton*, and by that means rather advanc'd, than depreſs'd them, ſo they had an admirable dexterity in ſheltering themſelves from any of thoſe Acts of diſcountenance, which they had no mind to own; when it hath been viſible, and was then notorious that many of the perſons then, as the Earl of *Rothes*, and others, of whom the King had the worſt opinion, and from whom he purpoſely with held any grace by never ſpeaking to them, or taking notice of them in the Court, yet when the King was abroad in the Fields, or paſſing through Villages, when the greateſt crouds of People flock'd to ſee him, thoſe men would ſtill be next him, and entertain him with ſome diſcourſe, and pleaſant relations, which the King's gentle diſpoſition could not avoid, and which made thoſe Perſons to be generally believ'd to be moſt acceptable to his Majeſty; upon which the Lord *Falkland* was wont to ſay, "that keeping of State was like "committing Adultery, there muſt go two to it: for let the proudeſt or moſt formal man reſolve to keep what diſtance he will towards others, a bold and confident man inſtantly demoliſhes that whole Machine, and gets within him, and even obliges him to his own Laws of converſation.

The King was always the moſt punctual obſerver of all decency in his Devotion, and the ſtricteſt promoter of the Ceremonies of the Church, as believing in his Soul the Church of *England* to be inſtituted the neareſt to the Practice of the Apoſtles, and the beſt for the propagation, and advancement of Chriſtian Religion, of any Church in the world: and on the other ſide, though no man was more averſe from the *Romiſh* Church than he was, nor better underſtood the motives of their Separation from us, and Animoſity againſt us, he had the higheſt diſlike, and prejudice to that part of his own Subjects, who were againſt the Government eſtabliſh'd, and did always look upon them as a very dangerous, and ſeditious People; who would under pretence of Conſcience, which kept them from ſubmitting to the Spiritual Juriſdiction, take the firſt opportunity, they could find, or make, to withdraw themſelves from their Temporal Subjection; and therefore he had, with the utmoſt vigilance, cauſed that Temper, and Diſpoſition to be watch'd and provided againſt in *England*; and if it were then in truth there, it lurk'd with wonderful ſecrecy. In *Scotland* indeed it cover'd the whole Nation, ſo that, though there were Biſhops in Name, the whole Juriſdiction, and They themſelves were upon the matter ſubject to an Aſſembly, which was purely Presbyterian; no Form of Religion in practice, no Liturgy, nor the leaſt appearance of any Beauty of Holineſs: The Clergy for the moſt part, corrupted in their Principles, at leaſt, none countenanced by the great Men, or favour'd by the People, but Such; though it muſt be own'd their Univerſities, eſpecially *Aberdeen*, flouriſh'd under many excellent Scholars, and very Learned men. Yet, though all the Cathedral Churches were totally neglected with reference to thoſe Adminiſtrations, over the whole Kingdom, the King's own Chappel at *Holy-rood-houſe* had ſtill been maintain'd with the comelineſs of the Cathedral Service, and all other Decencies uſed in the Royal Chappel; and the whole Nation ſeem'd, in the time of King *James*, well inclined to receive the Liturgy of the Church of *England*, which that King exceedingly deſired, and was ſo confident of, that they who were Privy to his Counſels, in that time, did believe the bringing that Work to paſs was the principal end of his Progreſs thither ſome years before his death; though he was not ſo well ſatisfied at his being there, two or three of the principal Perſons truſted by him in the Government of that Kingdom, dying in, or about that very time; but though he return'd without making any viſible attempt in that Affair, yet he retain'd ſtill the purpoſe, and reſolution to his death to bring it to paſs. However his two or three laſt years having been leſs pleaſant to him, by the Prince's voyage into *Spain*, the Jealouſies which, about that time, begun in *England*, and the high Proceedings in Parliament there, he thought it neceſſary to ſuſpend any proſecution of that Deſign, until a more favourable conjuncture, which he liv'd not to ſee.

Tranſactions about introducing a Liturgy into Scotland.

The King his ſon, who with his Father's other Virtues, inherited that Zeal for Religion, propoſed nothing more to himſelf, than to Unite his three Kingdoms in one Form of God's worſhip, and publick Devotions; and there being now ſo great a Serenity in all his Dominions as is mention'd before, there is great reaſon to believe that in this journey into *Scotland* to be Crown'd, he carried with him the Reſolution to finiſh that important buſineſs in the Church at the ſame time. To that end the then Biſhop of *London*, Dr. *Laud*, attended on his Majeſty throughout that whole Journey, which, as he was Dean of the Chappel, he was not obliged to do, and no doubt would have been excuſed from, if that deſign had not been in view; to accompliſh which he was no leſs ſollicitous than the King himſelf, nor the King the leſs ſollicitous for his advice. He preach'd in the Royal Chappel at *Edenborough* (which ſcarce any *Engliſh*-man had ever done before in the King's preſence) and principally upon the Benefit of Conformity, and the reverend Ceremonies of the Church, with all the marks of approbation, and applauſe imaginable; the great civility of that People being ſo notorious, and univerſal, that they would not appear unconformable to his Majeſty's wiſh in any particular. And many wiſe men were then, and ſtill are of opinion, that, if the King had then propoſed the Liturgy of the Church of *England* to have been receiv'd and practis'd by that Nation, it would have been ſubmitted to without oppoſition: but upon mature conſideration, the King concluded that it was not a good Seaſon to promote that Buſineſs.

He had Paſs'd two or three acts of Parliament, which had much leſſen'd the Authority, and dependence of the Nobility, and great Men, and incenſed, and diſpoſed them

them proportionably to croſs, and oppoſe any Propoſition, which would be moſt grateful; and that overthwart humour was enough diſcover'd to rule in the breaſts of many, who made the greateſt profeſſions. Yet this was not the Obſtruction, which diverted the King: the Party, that was averſe from the thing, and abhor'd any thought of Conformity, could not have been powerful enough, to have ſtop'd the progreſs of it; the miſchief was, that They, who moſt deſired it, and were moſt concern'd to promote it, were the men, who uſed all their credit to divert the preſent attempting it; and the Biſhops themſelves, whoſe Intereſt was to be moſt advanced thereby, applied all their counſels ſecretly to have the matter more Maturely conſider'd; and the whole deſign was never conſulted but Privately, and only ſome few of the great Men of that Nation, and ſome of the Biſhops adviſed with by the King, and the Biſhop of *London*; it being manifeſt enough, that as the Finiſhing that great Affair muſt be very grateful to *England*, ſo the *Engliſh* muſt not appear to have a hand in the Contriving and Promoting it.

The ſame men, who did not only pretend, but really and heartily wiſh, that they might have a Liturgy to order, and regulate the Worſhip of God in their Churches, and did very well approve the Ceremonies eſtabliſh'd in the Church of *England*, and deſired to ſubmit to, and practice the ſame there, had no mind that the Very Liturgy of the Church of *England* ſhould be propoſed to, or accepted by them; for which they offer'd two prudential Reaſons, as their Obſervations upon the nature, and humour of the Nation, and upon the Conferences, they had often had with the beſt men upon that Subject, which was often agitated in diſcourſe, upon what had been formerly projected by King *James*, and upon what frequently occurr'd to wiſe Men in Diſcourſes upon the thing it ſelf, and the deſireableneſs of it.

The firſt was, that the *Engliſh* Liturgy, how piouſly, and wiſely ſoever framed, and inſtituted, had found great Oppoſition: and though the matter of the Ceremonies had wrought for the moſt part only upon light-headed, weak Men, whoſe Satisfaction was not to be labour'd for; yet there were many grave, and learned Men, who excepted againſt ſome Particulars, which would not be ſo eaſily anſwer'd; "That the reading Pſalms being of the old Tranſlation were in many particulars ſo "different from the new, and better Tranſlation, that many inſtances might be gi-"ven of importance to the Senſe, and Truth of Scripture. They ſaid ſomewhat of the ſame nature concerning the Tranſlation of the Epiſtles, and Goſpels, and ſome other Exceptions againſt reading the *Apocrypha*, and ſome other particulars of leſs moment; and deſired "that in forming a Liturgy for Their Church, they might, "by reforming thoſe ſeveral Inſtances, give ſatisfaction to good Men, who would "thereupon be eaſily induced to ſubmit to it..

The other Reaſon, which no doubt was the principal, and took this in the way to give it the better introduction, was, "that the Kingdom of *Scotland* generally had "been long Jealous, that by the King's continued abſence from them, they ſhould "by degrees be reduced to be but as a Province to *England*, and ſubject to their "Laws, and Government, which they would never ſubmit to; nor would any "Man of Honour, who lov'd the King beſt, and reſpected *England* moſt ever con-"ſent to bring that Diſhonour upon his Country. If the very Liturgy, in the terms "it is conſtituted, and practis'd in *England*, ſhould be offer'd to them, it would "kindle and inflame that Jealouſy, as the Prologue and Introduction to that De-"ſign, and as the firſt Range of that Ladder, which ſhould ſerve to mount over all "their Cuſtoms, and Privileges, and be oppoſed, and deteſted accordingly: where-"as if his Majeſty would give order for the preparing a Liturgy, with thoſe few "deſirable Alterations, it would eaſily be done; and in the mean time They would "ſo diſpoſe the minds of the People for the reception of it, that they ſhould even "deſire it. This Expedient was ſo paſſionately, and vehemently urged even by the Biſhops, that however they defer'd to the minds, and humours of other men, it was manifeſt enough, that the Exception, and advice proceeded from the pride of their own hearts.

The Biſhop of *London*, who was always preſent with the King at theſe Debates, was exceedingly troubled at this Delay, and to find thoſe men the Inſtruments in it, who ſeem'd to him as Sollicitous for the Expedition, as Zealous for the Thing it ſelf, and who could not but ſuffer by the deferring it. He knew well how far any Enemies to Conformity would be from being ſatisfied with thoſe ſmall Alterations, which being conſented to, they would with more confidence, though leſs reaſon, frame other Exceptions, and inſiſt upon them with more obſtinacy. He foreſaw the

Difficulties

Difficulties, which would ariſe in rejecting, or altering, or adding to the Liturgy, which had ſo great authority, and had, by the practice of near fourſcore years, obtain'd great Veneration from all ſober Proteſtants; and how much eaſier it would be to make objections againſt any thing that ſhould be New, than againſt the Old; and would therefore have been very glad that the former Reſolution might be purſued; there having never been any thoughts in the time of King *James*, or the preſent King, but of the *Engliſh* Liturgy; beſides that any Variation from it, in how ſmall matters ſoever, would make the Uniformity the leſs, the manifeſtation whereof was that, which was moſt aim'd at, and deſired.

The King had exceedingly ſet his heart upon the matter, and was as much ſcandalized as any man at the Diſorder, and Indecency in the exerciſe of Religion in that Church: yet he was affected with what was offer'd, for a little Delay in the execution, and knew more of the ill humour, and practices amongſt the Greateſt Men of the Kingdom at that ſeaſon, than the Biſhop did, and believ'd he could better compoſe, and reduce them in a little time, and at a diſtance, than at the preſent, and whilſt he was amongſt them. Beſides he was in his nature much inclined to the *Scotiſh* Nation, having been born amongſt them, and as Jealous, as any one of them could be, of their Liberties, and Privileges, and as Careful they might not be Invaded by the *Engliſh*, who, he knew, had no great reverence for them: and therefore the Objection, "that it would look like an Impoſition from *England*, "if a Form, ſettled in Parliament at *Weſtminſter*, ſhould without any Alteration be "tender'd (though by Himſelf) to be ſubmitted to, and obſerv'd in *Scotland*, made a deep Impreſſion in his Majeſty.

In a word, he committed the Framing, and Compoſing ſuch a Liturgy, as would moſt probably be Acceptable to that People, to a ſelect number of the Biſhops there, who were very able, and willing to undertake it: and ſo his Majeſty return'd into *England*, at the time he had deſign'd, without having ever propos'd, or made the leaſt approach in Publick, towards any Alteration in the Church.

It had been very happy, if there had been then nothing done indeed, that had any reference to that Affair, and that, ſince it was not ready, nothing had been tranſacted to promote it, which accidentally alienated the affections of the People from it; and what was done was imputed to the Biſhop of *London*, who was like enough to be guilty of it; ſince he did really believe, that nothing more contributed to the benefit, and advancement of the Church, than the promotion of Church-men to places of the greateſt Honour, and Offices of the higheſt Truſt: This Opinion, and the Proſecution of it (though his Integrity was unqueſtionable, and his Zeal as great for the good, and honour of the State, as for the advancement and ſecurity of the Church) was the unhappy Foundation of his own Ruin, and of the Prejudice towards the Church, the Malice againſt it, and almoſt the Deſtruction of it.

The King during his ſtay there erects the Biſhoprick of Edenborough.

During the King's ſtay in *Scotland*, when he found the conjuncture not yet ripe for perfecting that good Order, which he intended in the Church, he reſolv'd to leave a Monument behind him of his own Affection, and Eſteem of it. *Edenborough* though the Metropolis of the Kingdom, and the chief Seat of the King's own reſidence, and the Place where the Council of State and the Courts of Juſtice ſtill remain'd, was but a Burrough Town within the Dioceſs of the Arch-Biſhop of *Saint Andrews*, and govern'd in all Church affairs by the Preachers of the Town; who, being choſen by the Citizens from the time of Mr. *Knox* (who had a principal hand in the Suppreſſion of Popery, with circumſtances not very commendable to this day) had been the moſt turbulent, and ſeditious Miniſters of Confuſion, that could be found in the Kingdom; of which King *James* had ſo ſad experience, after he came to age, as well as in his minority, that he would often ſay, "that his acceſs to the Crown of *England* was the more valuable to him, as it re-"deem'd him from the ſubjection to the ill manners, and inſolent practices of "thoſe Preachers, which he could never ſhake off before. The King before his return from thence, with the full conſent, and approbation of the Arch-Biſhop of *Saint Andrews*, erected *Edenborough* into a Biſhoprick; aſſign'd it a good and convenient Juriſdiction out of the neareſt limits of the Dioceſs of *Saint Andrews*, appointed the faireſt Church in the Town to be the Cathedral, ſettled a competent Revenue upon the Biſhop out of the Lands purchaſed by his Majeſty himſelf from the Duke of *Lenox*, who ſold it much the cheaper, that it might be conſecrated to ſo Pious an end; and placed a very eminent Scholar of a good Family in the Kingdom, who

had

had been educated in the Univerſity of *Cambridge*, to be the firſt Biſhop in that his new City; and made another Perſon, of good Fame, and Learning, the firſt Dean of his new Cathedral, upon whom likewiſe he ſettled a proper Maintenance; hoping by this means the better to prepare the People of the Place, who were the moſt numerous, and richeſt of the Kingdom, to have a due reverence to Order, and Government, and, at leaſt, to diſcountenance, if not ſuppreſs the Factious Spirit of Presbytery, which had ſo long ruled there. But this Application little contributed thereunto; the People generally thought, that they had too many Biſhops before, and ſo the increaſing the number was not like to be very grateful to them.

The Biſhops had indeed very little Intereſt in the affections of that Nation, and leſs Authority over it; they had not power to Reform, or Regulate their own Cathedrals, and very rarely ſhew'd themſelves in the Habit, and Robes of Biſhops; and durſt not conteſt with the General Aſſembly in matters of Juriſdiction: ſo that there was little more than the Name of Epiſcopacy preſerv'd in that Church. To redeem them from that Contempt, and to ſhew that they ſhould be Conſiderable in the State, how little Authority ſoever they were permitted to have in the Church, the King made the Arch-Biſhop of *Saint Andrews*, a Learned, Wiſe, and Pious man, and of long Experience, Chancellour of the Kingdom (the greateſt Office, and which had never been in the hands of a Church-man ſince the Reformation of Religion, and Suppreſſing the Pope's Authority) and four or five other Biſhops of the Privy-Council, or Lords of the Seſſion; which his Majeſty preſumed, by their Power in the Civil Government, and in the Judicatories of the Kingdom, would render them ſo much the more Reverenced, and the better enable them to Settle the affairs of the Church: which fell out otherwiſe too; and it had been better that envious Promotion had been ſuſpended, till by their grave and pious deportment they had wrought upon the Clergy to be better diſpoſed to obey them, and upon the People to like order, and diſcipline; and till by theſe means the Liturgy had been ſettled, and receiv'd amongſt them; and then the advancing ſome of them to greater Honour, might have done well.

His Majeſty prefers ſome Biſhops in Scotland to Secular offices unſeaſonably.

But this unſeaſonable accumulation of ſo many Honours upon them, to which their Functions did not intitle them (no Biſhop having been ſo much as a Privy-Counſellor in very many years) expoſed them to the univerſal Envy of the whole Nobility, many whereof wiſh'd them well, as to their Eccleſiaſtical qualifications, but could not endure to ſee them poſſeſs'd of thoſe Offices, and Employments, which they look'd upon as naturally belonging to Themſelves; and then the number of them was thought too great, ſo that they Over-ballanced many Debates; and ſome of them by want of temper, or want of breeding, did not behave themſelves with that Decency in their Debates, towards the greateſt Men of the Kingdom, as in diſcretion they ought to have done, and as the others reaſonably expected from them: ſo that inſtead of bringing any Advantage to the Church, or facilitating the good Intentions of the King in ſettling Order, and Government, it produced a more general Prejudice to it; though for the preſent there appear'd no ſign of Diſcontent, or ill Will to them: and the King left *Scotland*, as he believ'd, full of Affection, and Duty to him, and well inclined to receive a Liturgy, when he ſhould think it ſeaſonable to commend it to them.

The King's return, and the Death of Arch-Biſhop Abbot, 1633. *His Character.*

It was about the end of *Auguſt* in the Year 1633, when the King return'd from *Scotland* to *Greenwich*; where the Queen kept her Court; and the firſt Accident of moment that happen'd after his coming thither, was the Death of *Abbot* Arch-Biſhop of *Canterbury*, who had ſat too many years in that See, and had too great a Juriſdiction over the Church, though he was without any Credit in the Court from the death of King *James*, and had not much in many years before. He had been Head, or Maſter of one of the pooreſt Colledges in *Oxford*, and had Learning ſufficient for that Province. He was a man of very moroſe manners, and a very ſour aſpect, which, in that time, was call'd Gravity; and under the opinion of that Virtue, and by the recommendation of the Earl of *Dunbar*, the King's firſt *Scotch* Favourite, he was prefer'd by King *James* to the Biſhoprick of *Coventry* and *Litchfield*, and preſently after to *London*, before he had been Parſon, Vicar, or Curate of any Pariſh-Church in *England*, or Dean, or Prebend of any Cathedral-Church; and was in truth totally ignorant of the true Conſtitution of the Church of *England*, and the State and Intereſt of the Clergy; as ſufficiently appear'd throughout the whole courſe of his life afterward.

He had ſcarce perform'd any part of the office of a Biſhop in the Dioceſs of *London*, when he was ſnatch'd from thence, and promoted to *Canterbury*, upon the never-enough lamented death of Dr. *Bancroft* that Metropolitan, who underſtood the Church excellently, and had almoſt reſcued it out of the hands of the *Calvinian* Party, and very much ſubdued the unruly Spirit of the Non-conformiſts, by, and after the Conference at *Hampton-Court*; countenanced men of the greateſt parts in Learning, and diſpoſed the Clergy to a more ſolid courſe of Study, than they had been accuſtom'd to; and, if he had liv'd, would quickly have extinguiſh'd all that Fire in *England*, which had been kindled at *Geneva*; or if he had been ſucceeded by Biſhop *Andrews*, Biſhop *Overal*, or any man, who underſtood, and loved the Church, that Infection would eaſily have been kept out, which could not afterwards be ſo eaſily expell'd.

But *Abbot* brought none of this Antidote with him, and conſider'd Chriſtian Religion no otherwiſe, than as it abhor'd, and reviled Popery, and valued thoſe men moſt, who did That the moſt furiouſly. For the ſtrict obſervation of the Diſcipline of the Church, or the conformity to the Articles, or Canons eſtabliſh'd, he made little enquiry, and took leſs care; and having himſelf made a very little progreſs in the Antient, and Solid ſtudy of Divinity, he adhered only to the Doctrine of *Calvin*, and for his ſake, did not think ſo ill of the Diſcipline as he ought to have done. But if men prudently forbore a publick reviling, and railing at the Hierarchy, and Eccleſiaſtical Government, let their opinions, and private practice be what it would, they were not only ſecure from any inquiſition of his, but acceptable to him, and, at leaſt, equally prefer'd by him. And though many other Biſhops plainly diſcern'd the Miſchiefs, which daily broke in to the Prejudice of Religion, by his defects and remiſsneſs, and prevented it in their own Dioceſſes as much as they could, and gave all their countenance to men of other Parts, and other Principles; and though the Biſhop of *London*, Dr. *Laud*, from the time of his Authotity and Credit with the King had applied all the Remedies he could to thoſe Defections, and from the time of his being Chancellour of *Oxford*, had much diſcountenanced, and almoſt ſuppreſs'd that Spirit, by encouraging another kind of Learning, and Practice in that Univerſity, which was indeed according to the Doctrine of the Church of *England*; yet that temper in the Arch-Biſhop, whoſe Houſe was a Sanctuary to the moſt Eminent of that Factious Party, and who Licenſed their moſt Pernicious Writings, left his Succeſſor a very difficult work to do, to Reform, and reduce a Church into Order, that had been ſo long neglected, and that was ſo ill fill'd by many weak, and more willful Church-men.

Biſhop Laud *made Arch-Biſhop: his Character*

It was within one week after the King's return from *Scotland*, that *Abbot* died at his houſe at *Lambeth*. The King took very little time to conſider who ſhould be his Succeſſor, but the very next time the Biſhop of *London* (who was longer on his way home than the King had been) came to him, his Majeſty entertain'd him very chearfully with this Compellation, *My Lord's Grace of* Canterbury, *you are very welcome*, and gave order the ſame day for the diſpatch of all the neceſſary forms for the Tranſlation: ſo that within a month or thereabouts after the death of the other Arch-Biſhop, he was compleatly inveſted in that high Dignity, and ſettled in his palace at *Lambeth*. This great Prelate had been before in great favour with the Duke of *Buckingham*, whoſe chief Confident he was, and by him recommended to the King, as fitteſt to be truſted in the conferring all Eccleſiaſtical Preferments, when he was but Biſhop of *Saint Davids*, or newly preferr'd to *Bath* and *Wells*; and from that time he entirely govern'd that Province, without a Rival: ſo that his promotion to *Canterbury* was long foreſeen, and expected; nor was it attended with any encreaſe of envy, or diſlike.

He was a man of great Parts, and very exemplary Virtues, allay'd and diſcredited by ſome unpopular natural Infirmities; the greateſt of which was (beſides a haſty, ſharp way of expreſſing himſelf) that he believ'd Innocence of Heart, and Integrity of Manners, was a guard ſtrong enough to ſecure any man in his voyage through this world, in what Company ſoever he travell'd, and through what Ways ſoever he was to paſs: and ſure never any man was better ſupplied with that Proviſion. He was born of honeſt Parents, who were well able to provide for his Education in the Schools of Learning, from whence they ſent him to St. *John*'s Colledge in *Oxford*, the worſt endow'd at that time of any in that famous Univerſity. From a Scholar he became a Fellow, and then the Preſident of the Colledge, after he had receiv'd all the Graces and, Degrees (the Proctorſhip, and the Doctorſhip) could be obtain'd there

there. He was always maligned, and perſecuted by thoſe, who were of the *Calvinian* Faction, which was then very powerful, and who according to their uſual maxim, and practice, call every man they do not love, Papiſt; and under this ſenſeleſs appellation, they created him many troubles, and vexations; and ſo far ſuppreſs'd him, that though he was the King's Chaplain, and taken notice of for an excellent Preacher, and a Scholar of the moſt ſublime Parts, he had not any Preferment to invite him to leave his poor Colledge, which only gave him bread, till the vigour of his age was paſt: and when he was promoted by King *James*, it was but to a poor Biſhoprick in *Wales*, which was not ſo good a Support for a Biſhop, as his Colledge was for a private Scholar, though a Doctor.

Parliaments in that time were frequent, and grew very buſy, and the Party, under which he had ſuffer'd a continual Perſecution, appear'd very powerful, and full of deſign, and They, who had the courage to Oppoſe them, begun to be taken notice of with approbation, and countenance: under this Style he came to be firſt cheriſh'd by the Duke of *Buckingham*, who had made ſome experiments of the temper, and ſpirit of the Other People, nothing to his ſatisfaction. From this time he proſpered at the rate of his own wiſhes, and being tranſplanted out of his cold barren Dioceſs of *Saint Davids*, into a warmer Climate, he was left as was ſaid before, by that great Favourite in that great Truſt with the King; who was ſufficiently indiſpoſed towards the Perſons, or the Principles of *Calvin's* Diſciples.

When he came into great Authority, it may be, he retain'd too keen a memory of Thoſe, who had ſo unjuſtly, and uncharitably Perſecuted him before; and, I doubt, was ſo far tranſported with the ſame Paſſions, he had reaſon to complain of in his Adverſaries, that, as they accuſed him of Popery, becauſe he had ſome doctrinal Opinions, which they liked not, though they were nothing ally'd to Popery; ſo he entertain'd too much prejudice to ſome Perſons, as if they were Enemies to the Diſcipline of the Church, becauſe they concur'd with *Calvin* in ſome doctrinal Points; when they abhor'd his Diſcipline, and reverenced the Government of the Church, and pray'd for the Peace of it with as much zeal, and fervency, as any in the Kingdom; as they made manifeſt in their Lives, and in their Sufferings with it, and for it. He had, from his firſt entrance into the world, without any diſguiſe, or diſſimulation, declared his own Opinion of that Claſſis of Men, and as ſoon as it was in his power, he did all he could to hinder the Growth, and Increaſe of that Faction, and to reſtrain Thoſe, who were inclined to it, from doing the miſchief they deſired to do. But his Power at Court could not enough qualify him to go through with that difficult Reformation, whilſt he had a Superior in the Church, who, having the Reins in his Hand, could ſlacken them according to his own humour, and indiſcretion; and was thought to be the more remiſs, to irritate his cholerick diſpoſition. But when he had now the Primacy in his own hand, the King being inſpired with the ſame Zeal, he thought he ſhould be to blame, and have much to anſwer for, if he did not make haſt to apply Remedies to thoſe Diſeaſes, which he ſaw would grow apace.

In the end of *September* of the year 1633, he was inveſted in the Title, Power, and Juriſdiction of Arch-Biſhop of *Canterbury*, and entirely in poſſeſſion of the Revenue thereof, without a Rival in Church or State; that is, no man profeſs'd to oppoſe his Greatneſs; and he had never interpoſed or appeared in Matters of State to this time. His firſt care was, that the place, he was removed from, might be ſupplied with a Man who would be vigilant to pull up thoſe Weeds, which the *London* Soil was too apt to nouriſh, and ſo drew his old Friend, and Companion Dr. *Juxon*, as near to him as he could. They had been Fellows together in one Colledge in *Oxford*, and when he was firſt made Biſhop of *Saint Davids*, he made him Preſident of that Colledge: when he could no longer keep the Deanery of the Chappel-Royal, he made him his Succeſſor in that near attendance upon the King: and now he was raiſed to be Arch-Biſhop, he eaſily prevail'd with the King to make the other, Biſhop of *London*, before, or very ſoon after he had been conſecrated Biſhop of *Hereford*, if he were more than Elect of that Church.

Doctor Juxon made Biſhop of London.

It was now a time of great Eaſe, and Tranquillity; the King (as hath been ſaid before) had made himſelf Superior to all thoſe Difficulties, and Streights, he had to contend with the four firſt years he came to the Crown, at Home; and was now Reverenced by all his Neighbours, who needed his Friendſhip, and deſired to have it; the Wealth of the Kingdom notorious to all the world, and the general Temper, and Humour of it, little inclined to the Papiſt, and leſs to the Puri-

Puritan. There were ſome late Taxes, and Impoſitions introduced, which rather angred, than grieved the People, who were more than repair'd by the Quiet, Peace, and Proſperity they enjoy'd; and the Murmur, and Diſcontent, that was, appear'd to be againſt the Exceſs of Power exerciſed by the Crown, and ſupported by the Judges in *Weſtminſter-Hall*. The Church was not repined at, nor the leaſt inclination to alter the Government, and Diſcipline thereof, or to change the Doctrine. Nor was there at that time any conſiderable number of Perſons of any valuable Condition throughout the Kingdom, who did wiſh either; and the cauſe of ſo prodigious a Change in ſo few years after was too viſible from the effects. The Arch-Biſhop's heart was ſet upon the Advancement of the Church, in which he well knew, he had the King's full Concurrence, which he thought would be too powerful for any oppoſition; and that he ſhould need no other aſſiſtance.

Warm Contentions concerning thoſe call'd the Arminian *Points.*

Though the Nation generally, as was ſaid before, was without any ill talent to the Church, either in the point of the Doctrine, or the Diſcipline, yet they were not without a jealouſy that Popery was not enough diſcountenanced, and were very averſe from admitting any thing they had not been uſed to, which they call'd Innovation, and were eaſily perſwaded, that any thing of that kind was but to pleaſe the Papiſts. Some doctrinal Points of Controverſy had been, in the late years, agitated in the Pulpits with more warmth, and reflections, than had uſed to be; and thence the heat, and animoſity increaſed in Books *pro* and *con* upon the ſame Arguments: moſt of the popular Preachers, who had not look'd into the antient Learning, took *Calvin*'s word for it, and did all they could to propagate his Opinions in thoſe Points: they, who had ſtudied more, and were better verſed in the Antiquities of the Church, the Fathers, the Councils, and the Eccleſiaſtical Hiſtories, with the ſame heat, and paſſion in Preaching and Writing defended the contrary.

But becauſe in the late Diſpute in the *Dutch* Churches, thoſe Opinions were ſupported by *Jacobus Arminius*, the Divinity Profeſſor in the Univerſity of *Leyden* in *Holland*, the latter men, we mention'd, were call'd *Arminians*; though many of them had never read a word written by *Arminius*. Either ſide defended, and maintain'd the different Opinions, as the Doctrine of the Church of *England*, as the two great Orders in the Church of *Rome*, the *Dominicans* and *Franciſcans* did at the ſame time, and had many hundred years before, with more vehemence and uncharitableneſs maintain'd the ſame Opinions one againſt the other; either party profeſſing to adhere to the Doctrine of the Catholick Church, which had been ever wiſer than to Determine the Controverſy. And yet that party here which could leaſt ſupport themſelves with reaſon, were very ſollicitous, according to the Ingenuity they always practice to advance any of their Pretences, to have the People believe, that they who held with *Arminius* did intend to introduce Popery; and truly the other ſide was no leſs-willing to have it thought, that all, who adhered to *Calvin* in thoſe Controverſies, did in their Hearts likewiſe adhere to him, with reference to the Diſcipline, and deſired to change the Government of the Church, deſtroy the Biſhops, and to ſet up the Diſcipline that he eſtabliſh'd at *Geneva*; and ſo both ſides found ſuch reception generally with the People, as they were inclined to the Perſons; whereas, in truth, none of the one ſide were at all inclined to Popery, and very many of the other were moſt affectionate to the Peace, and Proſperity of the Church, and very Pious, and Learned Men.

Arch-Biſhop Laud's Character continued.

The Arch-Biſhop had, all his life, eminently oppoſed *Calvin*'s Doctrine in thoſe Controverſies, before the name of *Arminius* was taken notice of, or his Opinions heard of; and thereupon for want of another Name, they had call'd him a Papiſt, which no body believ'd him to be, and he had more manifeſted the contrary in his Diſputations, and Writings, than moſt Men had done; and it may be the other found the more ſevere, and rigorous Uſage from him, for their propagating that Calumny againſt him. He was a Man of great Courage, and Reſolution, and being moſt aſſured within himſelf, that he propoſed no end in all his Actions, and Deſigns, but what was Pious, and Juſt (as ſure no man had ever a heart more entire to the King, the Church, or his Country) he never ſtudied the eaſieſt ways to thoſe ends; he thought, it may be, that any art or induſtry that way would diſcredit, at leaſt make the Integrity of the end ſuſpected, let the cauſe be what it will. He did court Perſons too little; nor cared to make his deſigns, and purpoſes, appear as candid as they were, by ſhewing them in any other dreſs than their own natural beauty, though perhaps in too rough a manner; and did not conſider enough what men ſaid, or were like to ſay of him. If the Faults, and Vices were fit to be look'd into, and diſcover'd,

ver'd, let the Perſons be who they would, that were guilty of them, they were ſure to find no connivance of favour from him. He intended the Diſcipline of the Church ſhould be felt, as well as ſpoken of, and that it ſhould be applied to the greateſt and moſt ſplendid Tranſgreſſors, as well as to the puniſhment of ſmaller Offences, and meaner Offenders; and thereupon call'd for, or cheriſh'd the diſcovery of Thoſe, who were not careful to cover their own Iniquities, thinking they were above the reach of other Men, or their Power, or Will to chaſtiſe. Perſons of Honour, and great Quality of the Court, and of the Country, were every day cited into the high Commiſſion Court, upon the fame of their Incontinence, or other Scandal in their lives, and were there proſecuted to their Shame, and Puniſhment; and as the Shame (which they call'd an Inſolent Triumph upon their Degree, and Quality, and levelling Them with the common People) was never forgotten, but watch'd for revenge; ſo the Fines impoſed there were the more queſtion'd, and repined againſt, becauſe they were aſſign'd to the rebuilding, and repairing St. *Paul*'s Church; and thought therefore to be the more ſeverely impoſed, and the leſs Compaſſionately reduced, and excuſed: which likewiſe made the juriſdiction, and rigour of the Star-Chamber more felt, and murmur'd againſt, and ſharpned many mens humours againſt the Biſhops, before they had any ill intention towards the Church.

There were three Perſons moſt notorious for their declared Malice againſt the Government of the Church by Biſhops, in their ſeveral Books, and Writings, which they had publiſh'd to corrupt the People, with circumſtances very Scandalous, and in language very Scurrilous, and Impudent; which all men thought deſerv'd very exemplary puniſhment: they were of the three ſeveral Profeſſions which had the moſt influence upon the People, a Divine, a Common Lawyer, and a Doctor of Phyſick; none of them of intereſt, or any eſteem with the worthy part of their ſeveral Profeſſions, having been formerly all look'd upon under Characters of Reproach: yet when they were all Sentenced, and for the execution of that Sentence brought out to be Puniſh'd as common, and ſignal Rogues, expoſed upon Scaffolds to have their Ears cut off, and their Faces and Foreheads branded with hot Irons (as the pooreſt, and moſt mechanick Malefactors uſed to be, when they were not able to redeem themſelves by any Fine for their Treſpaſſes, or to Satisfy any damages for the Scandals they had raiſed againſt the good name, and reputation of others) men begun no more to conſider their manners, but the men; and each Profeſſion, with anger, and indignation enough, thought their Education, and Degrees, and Quality, would have ſecured them from ſuch infamous Judgements, and treaſured up wrath for the time to come. Pryn, Burton *and* Baſtwick.

The remiſsneſs of *Abbot*, and of other Biſhops by his example, had introduced, or at leaſt connived at a Negligence, that gave great ſcandal to the Church, and no doubt offended very many Pious men. The People took ſo little care of the Churches, and the Parſons as little of the Chancels, that, inſtead of beautifying, or adorning them in any degree, they rarely provided againſt the falling of many of their Churches; and ſuffer'd them at leaſt to be kept ſo indecently, and ſlovenly, that they would not have endured it in the ordinary offices of their own Houſes; the Rain, and the Wind to infeſt them; and the Sacraments themſelves to be adminiſtred where the People had moſt mind to receive them. This Prophane liberty, and uncleanlineſs, the Arch-Biſhop reſolv'd to Reform with all expedition, requiring the other Biſhops to concur with him in ſo Pious a work; and the work ſure was very Grateful to all men of Devotion: yet I know not how, the Proſecution of it with too much affectation of Expence, it may be, or with too much Paſſion between the Miniſters and the Pariſhioners, raiſed an evil Spirit towards the Church, which the Enemies of it took much advantage of, as ſoon as they had an opportunity to make the worſt uſe of it.

The removing the Communion Table out of the body of the Church, where it had uſed to ſtand, and to be applied to all uſes, and fixing it to one place in the upper end of the Chancel, which frequently made the buying a new Table to be neceſſary; the incloſing of it with a Rail of Joiners work, and thereby fencing it from the approach of Dogs, and all Servile uſes; the obliging all Perſons to come up to thoſe Rails to receive the Sacrament, how acceptable ſoever to grave and intelligent Perſons, who lov'd Order, and Decency (for acceptable it was to ſuch) yet introduced firſt Murmurings amongſt the People, upon the very Charge, and Expence of it; and if the Miniſter were not a man of diſcretion, and reputation to com-

compoſe, and reconcile thoſe Indiſpoſitions (as too frequently he was not, and rather inflamed, and increaſed the Diſtemper) it begot Suits, and Appeals at Law. The opinion that there was no Neceſſity of doing any thing, and the complaint that there was too Much done, brought the Power, and Juriſdiction, that impoſed the doing of it, to be call'd in queſtion, contradicted and oppoſed. Then the manner, and geſture, and poſture, in the Celebration of it, brought in new Diſputes, and adminiſtred new ſubjects of Offence, according to the cuſtom of the Place, and humour of the People: and thoſe Diſputes brought in new words, and terms (Altar, Adoration, and Genuflexion, and other expreſſions) for the more perſpicuous carrying on thoſe Diſputations. New Books were written for, and againſt this new Practice, with the ſame earneſtneſs, and contention for Victory, as if the Life of Chriſtianity had been at ſtake. Beſides, there was not an equal Concurrence, in the Proſecution of this matter, amongſt the Biſhops themſelves; ſome of them proceeding more remiſsly in it, and ſome not only neglecting to direct any thing to be done towards it, but reſtraining thoſe who had a mind to it, from meddling in it. And this again produced as inconvenient Diſputes, when the Subordinate Clergy would take upon them, not only without the direction of their Dioceſans, but expreſsly againſt their Injunctions, to make thoſe Alterations, and Reformations themſelves, and by their own authority.

The Arch-Biſhop guided purely by his zeal, and reverence for the Place of God's Service, and by the Canons, and Injunctions of the Church, with the cuſtom obſerv'd in the King's Chappel, and in moſt Cathedral-Churches, without conſidering the long intermiſſion, and diſcontinuance, in many other Places, proſecuted this affair more Paſſionately than was fit for the ſeaſon; and had Prejudice againſt Thoſe, who out of fear or foreſight, or not underſtanding the Thing, had not the ſame Warmth to promote it. The Biſhops who had been prefer'd by his Favour, or hoped to be ſo, were at leaſt as Sollicitous to bring it to paſs in their ſeveral Dioceſſes; and ſome of them with more Paſſion, and leſs Circumſpection, than they had his Example for, or than he Approved; proſecuting thoſe, who oppoſed them, very Fiercely, and ſometimes Unwarantably, which was kept in Remembrance. Whilſt other Biſhops, not ſo many in number, or ſo valuable in weight, who had not been beholding to him, nor had hope of being ſo, were enough contented to give Perfunctory orders for the doing it, and to ſee the Execution of thoſe orders not minded; and not the leſs pleaſed to find, that the Prejudice of that whole Tranſaction reflected ſolely upon the Arch-Biſhop.

The Biſhop of *Lincoln* (*Williams*) who had heretofore been Lord Keeper of the Great Seal of *England*, and generally unacceptable whilſt he held that Office, was, ſince his diſgrace at Court, and proſecution from thence, become very Popular; and having ſeveral Faults objected to him, the Puniſhment whereof threatned him every day, he was very willing to change the Scene, and to be brought upon the Stage for oppoſing theſe Innovations (as he called them) in Religion. It was an unlucky word, and couzen'd very many honeſt men into apprehenſions very Prejudicial to the King, and to the Church. He Publiſh'd a Diſcourſe, and Treatiſe againſt the matter, and manner of the Proſecution of that Buſineſs; a Book ſo full of good Learning, and that Learning ſo cloſe, and ſolidly applied (though it abounded with too many light expreſſions) that it gain'd him reputation enough to be able to do Hurt; and ſhew'd that, in his retirement, he had ſpent his time with his Books very profitably. He uſed all the Wit, and all the Malice he could to awaken the People to a jealouſy of theſe Agitations, and Innovations in the exerciſe of Religion; not without Inſinuations that it aim'd at greater Alterations, for which he knew the People would quickly find a name; and he was ambitious to have it believ'd, that the Arch-Biſhop was his greateſt Enemy, for his having conſtantly oppoſed his riſing to any Government in the Church, as a man, whoſe hot, and haſty Spirit he had long known.

Though there were other Books written with good learning, and which ſufficiently anſwer'd the Biſhop's book, and to men of equal, and diſpaſſionate Inclinations, fully vindicated the Proceedings which had been, and were ſtill very fervently carried on; yet it was done by Men, whoſe names were not much reverenced, and who were taken notice of, with great inſolence and aſperity to undertake the Defence of all things which the People generally were Diſpleaſed with, and who did not affect to be much Cared for, by thoſe of their own Order. So that from this unhappy Subject, not in it ſelf of that important value to be either

entred

entred upon with that Reſolution, or to be carried on with that Paſſion, proceeded upon the matter a Schiſm amongſt the Biſhops themſelves, and a great deal of Uncharitableneſs in the learned, and moderate Clergy, towards one another: which, though it could not increaſe the malice, added very much to the ability and power of the Enemies of the Church to do it hurt, and alſo to the number of them. For without doubt, many who lov'd the eſtabliſh'd Government of the Church, and the Exerciſe of Religion as it was uſed, and deſired not a change in either, nor did diſlike the order and decency which they ſaw mended, yet they liked not any Novelties, and ſo were liable to entertain Jealouſies that more was intended, than was hitherto propoſed; eſpecially when thoſe Infuſions proceeded from Men unſuſpected to have any inclinations to Change, and known Aſſertors of the Government both in Church and State. They did obſerve the Inferior Clergy took more upon them, than they were wont, and did not live towards their Neighbours of Quality, or their Patrons themſelves, with that Civility and Condeſcenſion, they had uſed to do; which diſpoſed Them likewiſe to a withdrawing their good Countenance, and good Neighbourhood from them.

The Arch-Biſhop had not been long in that Poſt, when there was another great alteration in the Court by the Death of the Earl of *Portland*, High Treaſurer of *England*; a man ſo jealous of the Arch-Biſhop's credit with the King, that he always endeavour'd to leſſen it by all the arts and ways he could; which he was ſo far from effecting, that, as it uſually falls out, when paſſion and malice make Accuſation, by ſuggeſting many Particulars which the King knew to be Untrue, or believ'd to be no Faults, he rather confirm'd his Majeſty's judgment of him, and prejudiced his own reputation. His death cauſed no griet in the Arch-Biſhop; who was, upon it, made one of the Commiſſioners of the Treaſury, and Revenue, which he had reaſon to be ſorry for, becauſe it engaged him in Civil buſineſs, and matters of State, wherein he had little experience, and which he had hitherto avoided. But being obliged to it now by his Truſt, he entred upon it with his natural earneſtneſs and warmth, making it his principal care to advance, and improve the King's Revenue, by all the ways which were offer'd, and ſo hearken'd to all Informations and Propoſitions of that kind; and having not had experience of that Tribe of people, who deal in that Traffick (a confident, ſenſeleſs, and for the moſt part a naughty people) he was ſometimes miſled by them, to think better of ſome Projects than they deſerv'd: but then he was ſo entirely devoted to what would be Beneficial to the King, that all Propoſitions, and Deſigns, which were for the Profit (only or principally) of particular Perſons how Great ſoever, were oppoſed, and croſs'd, and very often totally ſuppreſs'd, and ſtifled in their birth, by his Power, and Authority; which created him Enemies enough in the Court, and many of Ability to do Miſchief, who knew well how to recompenſe Diſcourteſies, which they always call'd Injuries.

Upon the Earl of Portland's *death, the Arch-Biſhop made one of the Commiſſioners of the Treaſury.*

The Revenue of too Many of the Court conſiſted principally in Encloſures, and Improvements of that nature, which He ſtill oppoſed paſſionately, except they were founded upon Law; and then, if it would bring Profit to the King, how old and obſolete ſoever the Law was, he thought he might juſtly adviſe the Proſecution. And ſo he did a little too much countenance the Commiſſion concerning Depopulation, which brought much charge and trouble upon the People, and was likewiſe caſt upon His account.

He had obſerv'd, and knew it muſt be ſo, that the Principal Officers of the Revenue, who govern'd the affairs of Money, had always acceſs to the King, and ſpent more time with him in Private than any of his Servants, or Counſellors, and had thereby frequent opportunities to do Good or Ill offices to many men; of which He had had Experience, when the Earl of *Portland* was Treaſurer, and the Lord *Cottington* Chancellor of the Exchequer; neither of them being his Friends; and the latter ſtill enjoying his Place, and having his former Acceſs, and ſo continuing a joint Commiſſioner of the Treaſury with him, and underſtanding that Province much better, ſtill Oppoſed, and commonly Carried every thing againſt him: ſo that he was Weary of the toil, and vexation of that Buſineſs as all other men were, and ſtill are of the Delays, which are in all diſpatches in that Office, whilſt it is executed by Commiſſion.

*Biſhop-*Juxon *made Lord Treaſurer.*

The Treaſurer's is the greateſt Office of Benefit in the Kingdom, and the Chief in Precedence next the Arch-Biſhop's and the Great Seal: ſo that the eyes of all men were at gaze who ſhould have this great Office; and the greateſt of the Nobility

lity, who were in the chiefeſt Employments, look'd upon it as the Prize of one of them; ſuch Offices commonly making way for more Removes, and Preferments: when on a ſuddain the Staff was put into the hands of the Biſhop of *London*, a man ſo unknown, that his Name was ſcarce heard of in the Kingdom, who had been, within two years before, but a private Chaplain to the King, and the Preſident of a poor Colledge in *Oxford*. This Inflamed more men than were Angry before, and no doubt did not only ſharpen the edge of Envy and Malice againſt the Arch-Biſhop (who was the known Architect of this new Fabrick) but moſt unjuſtly Indiſpoſed many towards the Church it ſelf; which they look'd upon as the Gulph ready to ſwallow all the great Offices, there being Others in view, of that Robe, who were ambitious enough to expect the reſt.

In the mean time the Arch-Biſhop himſelf was infinitely pleaſed with what was done, and unhappily believ'd he had provided a ſtronger Support for the Church; and never abated any thing of his Severity, and Rigour towards men of all conditions; or in the Sharpneſs of his language, and expreſſions, which was ſo natural to him, that he could not debate any thing without ſome Commotion, when the Argument was not of moment, nor bear Contradiction in debate, even in the Council, where all men are equally free, with that Patience, and Temper that was neceſſary; of which, They who wiſh'd him not well, took many Advantages, and would therefore Contradict him, that he might be tranſported with ſome Indecent Paſſion; which upon a ſhort recollection, he was alway Sorry for, and moſt readily, and heartily would make Acknowledgement. No man ſo willingly made unkind uſe of all thoſe Occaſions, as the Lord *Cottington*, who, being a maſter of Temper, and of the moſt profound Diſſimulation, knew too well how to lead him into a Miſtake, and then drive him into Choler, and then Expoſe him upon the matter, and the manner, to the judgement of the Company; and he choſe to do this moſt, when the King was preſent; and then he would Dine with him the next day.

The King, who was exceſſively affected to Hunting, and the Sports of the Field had a great deſire to make a great Park for Red, as well as Fallow Deer, between *Richmond* and *Hampton-Court*, where he had large Waſts, of his own, and great parcels of Wood, which made it very fit for the uſe he deſign'd it to: but as ſome Pariſhes had Commons in thoſe Waſts, ſo, many Gentlemen, and Farmers, had good Houſes, and good Farms intermingled with thoſe Waſts of their own Inheritance, or for their Lives, or Years; and without taking of Them into the Park, it would not be of the largeneſs, or for the uſe propoſed. His Majeſty deſired to purchaſe thoſe Lands, and was very willing to buy them upon higher terms, than the People could ſell them at to any body elſe, if they had occaſion to part with them, and thought it no unreaſonable thing, upon thoſe terms, to expect this from his Subjects; and ſo he employ'd his own Surveyor, and other of his Officers, to treat with the Owners, many whereof were his own Tenants, whoſe Farms would at laſt expire.

The major part of the People were in a ſhort time prevail'd with, but many very obſtinately refuſed; and a Gentleman, who had the beſt Eſtate, with a convenient Houſe, and Gardens, would by no means part with it; and the King being as earneſt to compaſs it, it made a great noiſe, as if the King would take away mens Eſtates at his own pleaſure. The Biſhop of *London*, who was Treaſurer, and the Lord *Cottington*, Chancellor of the Exchequer, were, from the firſt entring upon it, very averſe from the Deſign, not only for the murmur of the People, but becauſe the purchaſe of the Land, and the making a Brick-wall about ſo large a parcel of Ground (for it is near ten Miles about) would coſt a greater Sum of money, than they could eaſily provide, or than they thought ought to be ſacrificed to Such an occaſion: and the Lord *Cottington* (who was more ſollicited by the Country people, and heard moſt of their murmurs) took the Buſineſs moſt to heart, and endeavour'd by all the ways he could, and by frequent importunities, to divert his Majeſty from purſuing it, and put all the delays, he could well do, in the bargains which were to be made; till the King grew very angry with him, and told him "he was reſolv'd to go through with it, and had already cauſed "Brick to be burn'd, and much of the Wall to be built upon his Own land: upon which *Cottington* thought fit to acquieſce.

The building the Wall before People conſented to part with their Land, or their Common, look'd to them as if by degrees they ſhould be Shut out from both, and

increaſed

increaſed the murmur and noiſe of the People who were not concern'd, as well as of them who were : and it was too near *London* not to be the common diſcourſe. The Arch-Biſhop (who deſired exceedingly that the King ſhould be poſſeſs'd as much of the Hearts of the People as was poſſible, at leaſt that they ſhould have no juſt cauſe to Complain) meeting with it, reſolv'd to Speak with the King of it; which he did; and receiv'd ſuch an Anſwer from him, that he thought his Majeſty rather not inform'd enough of the Inconveniencies, and Miſchiefs of the thing, than poſitively Reſolv'd not to deſiſt from it. Whereupon one day he took the Lord *Cottington* aſide (being inform'd that he diſliked it, and according to his natural cuſtom, ſpake with great warmth againſt it) and told him, "he ſhould do very well to "give the King good Counſel, and to withdraw him from a Reſolution in "which his Honour, and Juſtice was ſo much call'd in queſtion. *Cottington* anſwer'd him very gravely, "that the thing deſign'd was very Lawful, and "he thought the King reſolv'd very well, ſince the Place lay ſo conveniently "for his Winter exerciſe, and that he ſhould by it not be compell'd to make "ſo long Journeys, as he uſed to do, in that Seaſon of the year for his Sport, "and that no body ought to diſſwade him from it.

The Arch-Biſhop inſtead of finding a Concurrence from him, as he expected, ſeeing himſelf Reproach'd upon the matter for his Opinion, grew into much Paſſion, telling him, "Such men, as he, would Ruin the King, and make him "looſe the Affections of his Subjects; that for his own part, as he had begun, "ſo he would go on to diſſwade the King from proceeding in ſo Ill a "counſel, and that he hoped it would appear who had been his Counſellor. *Cottington* glad to ſee him ſo ſoon hot, and reſolv'd to inflame him more, very calmly replied to him, "that he thought a man could not with a good Con-"ſcience, hinder the King from purſuing his Reſolutions, and that it could not but "proceed from want of affection to his Perſon, and he was not ſure, that it "might not be high Treaſon. The other upon the wildneſs of his diſcourſe, in great anger ask'd him, "Why? from whence he had receiv'd that doctrine? he ſaid with the ſame temper, "They who did not wiſh the King's health, could not "love him; and they, who went about to hinder his taking recreation, which preſerv'd "his health, might be thought, for ought he knew, guilty of the higheſt Crimes. Upon which the Arch-Biſhop in great rage, and with many reproaches left him, and either preſently, or upon the next opportunity told the King, "that he now knew "who was his great Counſellor for making his Park, and that he did not wonder "that men durſt not repreſent any Arguments to the contrary, or let his Majeſty "know how much he Suffer'd in it, when ſuch Principles in Divinity, and Law, were laid down to Terrify them; and ſo recounted to him the Conference he had with the Lord *Cottington*, bitterly inveighing againſt Him, and his Doctrine, mentioning him with all the ſharp reproaches imaginable, and beſeeching his Majeſty "that His counſel might not Prevail with him, taking ſome pains to make his Concluſions appear very Falſe, and Ridiculous.

The King ſaid no more, but, "My Lord, you are deceiv'd, *Cottington* is too "hard for you; upon my word he hath not only Diſſwaded me more, and given "more Reaſon againſt this Buſineſs, than all the men in *England* have done, but "hath really obſtructed the Work by not doing his Duty, as I commanded him, "for which I have been very much diſpleaſed with him: you ſee how Unjuſtly "your Paſſion hath tranſported you. By which Reprehenſion he found how much he had been Abuſed, and Reſented it accordingly.

Whatſoever was the Cauſe of it, this excellent Man, who ſtood not upon the advantage ground before, from the time of his Promotion to the Arch-Biſhoprick, or rather from that of his being Commiſſioner of the Treaſury, exceedingly provoked, or underwent the Envy, and Reproach, and Malice of men of all Qualities, and Conditions; who agreed in nothing elſe: all which, though well enough Known to him, were not enough Conſider'd by him, who believ'd, as moſt men did, the Government to be ſo firmly Settled, that it could neither be Shaken from within, nor without, and that leſs than a general Confuſion of Law, and Goſpel, could not hurt him; which was true too; but he did not Foreſee how eaſily that Confuſion might be brought to paſs, as it proved ſhortly to be. And with this general obſervation of the outward viſible proſperity, and the inward reſerv'd diſpoſition of the People to Murmur, and Unquietneſs, we Conclude this Firſt Book.

THE END OF THE FIRST BOOK.

27 AP 63

THE
History of the Rebellion, &c.
BOOK II.

Pſal. LII. 2, 4.

Thy Tongue deviſeth Miſchiefs, like a ſharp Raſour, working deceitfully:

Thou loveſt all devouring words, O thou deceitful Tongue.

Pſal. LV. 21.

The words of his Mouth were ſmoother than Butter, but War was in his Heart: his words were ſofter than Oyl, yet were they drawn Swords.

IT was towards the end of the year 1633, when the King returned from *Scotland*, having left it to the Care of ſome of the Biſhops there to provide ſuch a Liturgy, and ſuch a Book of Canons, as might beſt ſuit the nature and humour of the Better ſort of that People; to which the reſt would eaſily ſubmit: and that, as faſt as they made them ready, they ſhould tranſmit them to the Arch-Biſhop of *Canterbury*, to whoſe aſſiſtance the King join'd the Biſhop of *London*, and Doctor *Wren*, who, by that time, was become Biſhop of *Norwich*; a man of a ſevere ſowr nature, but very Learned, and particularly verſed in the old Liturgies of the *Greek*, and *Latin* Churches. And after his Majeſty ſhould be this way certified of what was ſo ſent, he would recommend, and enjoyn the Practice, and Uſe of both to that his Native Kingdom. The Biſhops there had ſomewhat to do, before they went about the preparing the Canons, and the Liturgy; what had paſs'd at the King's being there in Parliament, had left bitter Inclinations, and unruly Spirits in many of the moſt popular Nobility; who watch'd only for an opportunity to Enflame the People, and were well enough contented to ſee Combuſtible matter every day gather'd together, to contribute to that Fire.

Affairs in Scotland after the King's return thence, relating chiefly to the compoſing a Liturgy and Canons.

The promoting ſo many Biſhops to be of the Privy-Council, and to ſit in the Courts of Juſtice, ſeem'd at firſt wonderfully to facilitate all that was in deſign, and to create an affection, and reverence towards the Church, at leaſt an application to, and dependance upon the greateſt Church-men. So that there ſeem'd to be not only a good preparation made with the People, but a general expectation, and even a deſire that they might have a Liturgy, and more Decency obſerv'd in the Church. And this Temper was believed to be more univerſal, becauſe neither from any of the Nobility, nor of the Clergy, who were thought moſt averſe from it

it, there appear'd any ſign of Contradiction, nor that licence of Language againſt it, as was natural to that Nation; but an entire Acquieſcence in all, the Biſhops thought fit to do; which was interpreted to proceed from a converſion in their Judgement, at leaſt to a ſubmiſſion to Authority: whereas in truth, it appear'd afterwards to be from the obſervation they made of the Temper, and Indiſcretion of thoſe Biſhops in the greateſt Authority, that they were like to have more Advantages adminiſtred to them by their ill Managery, than they could raiſe by any Contrivance of their own.

Touching the Scottiſh Canons.

It was now two Years, or very near ſo much, before the Biſhops in *Scotland* had prepared any thing to offer to the King towards their intended Reformation; and then they Inverted the proper method, and firſt preſented a body of Canons to precede the Liturgy, which was not yet ready, they chooſing to finiſh the ſhorter work firſt. The King refer'd the conſideration of the Canons, as he had before reſolv'd to do, to the Arch-Biſhop, and the other two Biſhops formerly named, the Biſhop of *London*, and the Biſhop of *Norwich*; who after their peruſal of them, and ſome Alterations made, with the conſent of thoſe Biſhops who brought them from *Scotland*, return'd them to the King; and his Majeſty, impatient to ſee the good work entred upon, without any other Ceremony (after having given his Royal approbation) iſſued out his Proclamation for the due Obſervation of them within his Kingdom of *Scotland*.

It was a fatal Inadvertency, that theſe Canons, neither before, nor after they were ſent to the King, had been ever Seen by the Aſſembly, or any Convocation of the Clergy, which was ſo ſtrictly obliged to the Obſervation of them; nor ſo much as Communicated to the Lords of the Council of that Kingdom; it being almoſt impoſſible that any new Diſcipline could be introduced into the Church, which would not Much concern the Government of the State, and even trench upon, or refer to the Municipial Laws of the Kingdom. And, in this conſideration, the Arch-Biſhop of *Canterbury* had always declared to the Biſhops of *Scotland*, "that it was Their part to be ſure, that nothing they ſhould propoſe to the "King in the Buſineſs of the Church, ſhould be contrary to the Laws of the Land, "which He could not be thought to underſtand; and that they ſhould never put "any thing in execution, without the conſent and approbation of the Privy-Coun-"cil. But it was the unhappy Craft of thoſe Biſhops to get it believ'd by the King, that the work would be Grateful to the moſt conſiderable of the Nobility, the Clergy, and the People (which they could hardly believe) in order to the obtaining his Majeſty's Approbation, and Authority for the execution of that, which they did really believe would not find Oppoſition from the Nobility, Clergy, or People, againſt his Majeſty's expreſs Power, and Will, which without doubt was then in great Veneration in that Kingdom; and ſo they did not, intruth, dare to ſubmit thoſe Canons to any other Examination, than what the King ſhould direct in *England*.

It was, in the next place, as ſtrange, that Canons ſhould be publiſh'd before the Liturgy was prepared (which was not ready in a year after, or thereabouts) when three or four of the Canons were principally for the Obſervation of, and punctual Compliance with the Liturgy; which all the Clergy were to be ſworn to ſubmit to, and to pay all obedience to what was enjoyn'd by it, before they knew what it contain'd. Whereas if the Liturgy had been firſt publiſh'd with all due Circumſtances, it is poſſible that it might have found a better reception, and the Canons have been leſs examin'd.

The *Scots* Nation, how capable ſoever it was of being led by ſome Great men, and miſled by the Clergy, would have been corrupted by neither into a barefaced Rebellion againſt their King, whoſe Perſon they lov'd, and reverenced his Government; nor could they have been wrought upon towards the leſſening the one or the other, by any other Suggeſtions, or Infuſions, than ſuch, as ſhould make them jealous, or apprehenſive of a deſign to introduce Popery; a great part of their Religion conſiſting in an entire deteſtation of Popery, in believing the Pope to be Antichriſt, and hating perfectly the Perſons of all Papiſts.

The Canons now publiſh'd, beſides (as hath been touch'd before) that they had paſs'd no Approbation of the Clergy, or been Communicated to the Council, appear'd to be ſo many new Laws impoſed upon the whole Kingdom by the King's ſole Authority, and contrived by a few Private men, of whom they had no good opinion, and who were Strangers to the Nation; ſo that it was thought no other than

than a Subjection to *England*, by receiving Laws from thence, of which they were moſt jealous, and which they moſt paſſionately abhorr'd. Then they were ſo far from being confined to the Church, and the matters of Religion, that they believ'd there was no part of their Civil Government uninvaded by them, and no Perſons of what Quality ſoever unconcern'd, and, as they thought, unhurt in them. And there were ſome things in ſome particular Canons, how rational ſoever in themſelves, and how diſtant ſoever in the words and expreſſions from inclining to Popery, which yet gave too much advantage to Thoſe, who maliciouſly watch'd the occaſion, to perſwade Weak men that it was an Approach, and Introduction to that Religion, the very Imagination whereof Intoxicated all men, and deprived them of all faculties to Examine, and Judge.

Some of the ſaid Canons defin'd, and determin'd ſuch an unlimited "Power, "and Prerogative to be in the King, according to the Pattern (in expreſs terms) "of the Kings of *Iſrael*, and ſuch a full Supremacy in all Caſes Eccleſiaſtical, as "hath never been pretended to by their former Kings, or ſubmitted to by the "Clergy, and Laity of that Nation; which made impreſſion upon men of all tempers, humours, and inclinations; And that no Eccleſiaſtical Perſon ſhould become "Surety, or Bound for any man; That National, or General Aſſemblies ſhould "be call'd only by the King's Authority; That all Biſhops, and other Eccleſiaſtical "Perſons, who dye without Children, ſhould be obliged to give a good part of "their Eſtates to the Church, and, though they ſhould have Children, yet to "leave ſomewhat to the Church, and for advancement of Learning; which ſeem'd rather to be matter of State, and Policy, than of Religion; thwarted their Laws, and Cuſtoms, which had been obſerv'd by them; leſſen'd, if not took away the Credit of Church-men; and prohibited them from that liberty of Commerce in Civil affairs, which the Laws permitted to them; and reflected upon the intereſts of Thoſe, who had, or might have a right to Inherit from Clergy-men. "That "none ſhould receive the Sacrament but upon their Knees; That the Clergy "ſhould have no private meetings for expounding Scripture, or for conſulting upon matters Eccleſiaſtical; That no man ſhould cover his head in the time of Divine Service; and that no Clergy-man ſhould conceive Prayers *ex tempore*, but "be bound to pray only by the Form preſcribed in the Liturgy (which by the way was not ſeen, nor framed) "and that no man ſhould teach a publick School or in "a private Houſe, without a Licence firſt obtain'd from the Arch-Biſhop of the "Province, or the Biſhop of the Dioceſs.

All theſe were new, and things, with which they had not been acquainted; and though they might be fit to be commended to a regular, and orderly People piouſly diſpoſed, yet it was too ſtrong meat for Infants in Diſcipline, and too much nouriſhment to be adminiſtred at Once to weak, and queaſy Stomachs, and too much inclined to nauſeate what was moſt wholeſome. But then, to apply the old terms of the Church, to mention "the *Quatuor tempora*, and reſtrain all Ordinations to thoſe four Seaſons in the Year; to enjoin a Font to be prepared in "every Church for Baptiſm, and a decent Table for the Communion; and to "direct and appoint the places where both Font and Table ſhould ſtand, and decent "Ornaments for either; to reſtrain any Excommunication from being pronounced, "or Abſolution from being given, without the approbation of the Biſhop; "to mention any practice of Confeſſion (which they look'd upon as the ſtrongeſt, and moſt inſeparable Limb of Antichriſt) and to enjoin "that no Presbyter ſhould "reveal any thing he ſhould receive in Confeſſion, except in ſuch caſes, where, "by the Law of the Land his own Life ſhould be Forfeited; were all ſuch matters of Innovation, and in their nature ſo Suſpicious, that they thought they had reaſon to be Jealous of the worſt that could follow; and the laſt Canon of all provided "that no perſon ſhould be receiv'd into Holy Orders, or ſuffered to Preach, "or Adminiſter the Sacraments without firſt Subſcribing to thoſe Canons.

It was now eaſy for Them, who had thoſe Inclinations, to ſuggeſt to men of all conditions that here was an entire new Model of Government in Church and Sate; the King might do what he would upon them all, and the Church was nothing but what the Biſhops would have it be: which they every day infuſed into the minds of the People, with all the Artifices which adminiſter Jealouſies of all kinds to thoſe, who are liable to be diſquieted with them: yet they would not ſuffer (which ſhew'd wonderful power, and wonderful dexterity) any Diſorder to break out upon all this occaſion, but all was quiet, except ſpreading of Libels

againſt the Biſhops, and propagating that Spirit as much as they could by their Correſpondence in *England*; where they found too many every day tranſported by the ſame infuſions, in expectation that theſe Seeds of Jealouſy from the Canons would grow apace, and produce ſuch a Reception for the Liturgy as they wiſh'd for.

Ton hing the Scottiſh Liturgy.

It was about the month of *July*, in the Year 1637, that the Liturgy (after it had been ſent out of *Scotland*, and peruſed by the three Biſhops in *England*, and then approved and confirm'd by the King) was Publiſh'd, and appointed to be Read in all the Churches. And in this particular there was the ſame affected and premeditated Omiſſion, as had been in the preparation and publication of the Canons; the Clergy not at all conſulted in it, and, which was more ſtrange, not all the Biſhops acquainted with it; which was leſs cenſured afterwards, when ſome of them renounced their Function, and became ordinary Presbyters, as ſoon as they ſaw the current of the time. The Privy-Council had no other notice of it, than all the Kingdom had, the Sunday before, when it was declared, "that the "next Sunday the Liturgy ſhould be Read; by which they were the leſs concern'd to foreſee, or prevent any Obſtructions which might happen.

The Proclamation had appointed it to be Read the *Eaſter* before, but the Earl of *Traquaire* High Treaſurer of *Scotland* (who was the only Counſellor or Layman relied upon by the Arch-Biſhop of *Canterbury* in that buſineſs) perſwaded the King to defer it till *July*, that ſome good preparation might be made for the more chearful Reception of it. And as this pauſe gave the diſcontented Party more heart, and more time for their Seditious Negotiations, ſo the ill Conſequences of it, or the Actions which were ſubſequent to it, made Him ſuſpected to be Privy to all the Conſpiracy, and to be an Enemy to the Church; though in truth there neither appear'd then, nor in all the very unfortunate part of his life afterwards, any juſt ground for that accuſation, and ſuſpicion; but as he was exceedingly obliged to the Arch-Biſhop, ſo he was a man of great Parts, and well affected to the Work in hand in his own judgment; and if he had been as much depended upon to have adviſed the Biſhops in the Proſecution, and for the Conduct of it, as he was to aſſiſt them in the carrying on whatſoever They propoſed, it is very probable, that either ſo Much would not have been undertaken together, or that it would have Succeeded better; for he was without doubt not inferior to any of that Nation in Wiſdom, and Dexterity. and though he was often provoked, by the Inſolence of ſome of the Biſhops, to a Diſlike of their over-much Fervour, and too little Diſcretion, his Integrity to the King was without blemiſh, and his Affection to the Church ſo notorious, that he never deſerted it, till both It and He were over-run, and trod under foot; and they, who were the moſt notorious Perſecutors of It, never left Perſecuting Him to the death.

Nor was any thing done which he had propos'd, for the better Adjuſting things in the time of that Suſpenſion, but every thing left in the ſame State of Unconcernedneſs as it was before; not ſo much as the Council's being better inform'd of it; as if they had been ſure, that all men would have Submitted to it for Conſcience ſake.

The manner how that Liturgy was receiv'd at Edenborough.

On the Sunday morning appointed for the work, the Chancellor of *Scotland*, and others of the Council, being preſent in the Cathedral Church, the Dean begun to read the Liturgy, which he had no ſooner entred upon, but a noiſe and a clamour was raiſed throughout the Church, that no words could be heard diſtinctly, and then a ſhower of Stones, and Sticks and Cudgels were thrown at the Dean's head. The Biſhop went up into the Pulpit, and from thence put them in mind of the Sacredneſs of the Place, of their Duty to God and the King; but he found no more Reverence, nor was the clamour and diſorder leſs than before. The Chancellor, from his Seat, commanded the Provoſt and Magiſtrates of the City to deſcend from the Gallery in which they ſate, and by their Authority to Suppreſs the Riot; which at laſt with great difficulty they did, by driving the Rudeſt of thoſe who made the diſturbance out of the Church, and ſhutting the Doors; which gave the Dean opportunity to proceed in the reading of the Liturgy, that was not at all attended or hearkned to by thoſe who remain'd within the Church; and if it had, they who were turn'd out continu'd their barbarous Noiſe, broke the Windows, and endeavour'd to break down the Doors; ſo that it was not poſſible for any to follow their Devotions.

When

When all was done that at that time could be done there, and the Council and Magiſtrates went out of the Church to their Houſes, the Rabble followed the Biſhops with all the opprobrious language they could invent, of bringing in Superſtition and Popery into the Kingdom, and making the people Slaves; and were not content to uſe their Tongues, but employ'd their Hands too in throwing Dirt and Stones at them; and treated the Biſhop of *Edenborough*, whom they look'd upon as moſt Active that way, ſo Rudely, that with difficulty he got into a Houſe, after they had torn his Habit, and was from thence removed to his own, with great hazard of his Life. As this was the Reception it had in the Cathedral, ſo it fared not better in the other Churches of the City, but was entertained with the ſame Hollowing and Out-cries; and threatning the Men whoſe office it was to read it, with the ſame bitter Execrations againſt Biſhops and Popery.

Hitherto no perſon of Condition or Name appear'd, or ſeem'd to countenance this ſeditious Confuſion; it was the Rabble, of which no body was named, and which is more ſtrange, not one apprehended: and it ſeems the Biſhops thought it not of moment enough to deſire, or require any Help, or Protection from the Council; but without conferring with them, or applying themſelves to them, they diſpatch'd away an Expreſs to the King, with a full and particular Information of all that had paſs'd, and a deſire that He would take that courſe he thought beſt for the carrying on his Service.

Until this Advertiſement arrived from *Scotland*, there were very few in *England* who had heard of any Diſorders there, or of any thing done there which might produce any. The King himſelf had been always ſo jealous of the Privileges of that his Native Kingdom (as hath been touch'd before) and that it might not be diſhonour'd by a ſuſpicion of having any Dependence upon *England*, that he never ſuffer'd any thing relating to That to be Debated, or ſo much as Communicated to his Privy-Council in This (though many of that nation were, without Diſtinction, Counſellors of *England*) but handled all thoſe Affairs Himſelf with two or three *Scots*-men, who always attended in the Court, for the buſineſs of that Kingdom, which was upon the matter ſtill diſpatch'd by the ſole advice and direction o fthe Marquis of *Hamilton*.

And the truth is, there was ſo little curioſity either in the Court, or the Country, to know any thing of *Scotland*, or what was done there, that when the whole Nation was ſollicitous to know what paſs'd weekly in *Germany*, and *Poland*, and all other parts of *Europe*, no man ever enquired what was doing in *Scotland*, nor had that Kingdom a place or mention in one Page of any Gazette; and even after the Advertiſement of this preamble to Rebellion, no mention was made of it at the Council-Board, but ſuch a diſpatch made into *Scotland* upon it, as expreſs'd the King's diſlike and diſpleaſure, and obliged the Lords of the Council there to appear more vigorouſly in the Vindication of his Authority, and Suppreſſion of thoſe Tumults. But all was too little. That People after they had once begun, purſued the buſineſs vigorouſly, and with all imaginable contempt of the Government; and though in the Hubbub of the firſt day there appear'd no body of name or reckoning, but the Actors were really of the Dregs of the people, yet they diſcover'd by the countenance of that day, that few men of Rank were forward to engage themſelves in the quarrel on the behalf of the Biſhops; whereupon more conſiderable Perſons every day appear'd againſt them, and (as heretofore in the caſe of St. *Paul*, *Acts* 13. 50. *the Jews ſtir'd up the devout and honourable Women*) the Women and Ladies of the beſt Quality declared themſelves of the Party, and with all the Reproaches imaginable, made war upon the Biſhops, as Introducers of Popery and Superſtition, againſt which they avowed themſelves to be irreconcilable Enemies; and their Husbands did not long defer the owning the ſame Spirit; inſomuch as within few days the Biſhops durſt not appear in the Streets, nor in any Courts, or Houſes, but were in danger of their Lives; and ſuch of the Lords as durſt be in their company, or ſeem'd to deſire to reſcue them from violence, had their Coaches torn in pieces, and their Perſons aſſaulted, inſomuch as they were glad to ſend for ſome of thoſe great Men, who did indeed govern the Rabble, though they appear'd not in it, who readily came and redeem'd them out of their hands: ſo that by the time new Orders came from *England*, there was ſcarce a Biſhop left in *Edenborough*, and not a Miniſter who durſt read the Liturgy in any Church.

All the Kingdom flock'd to *Edenborough*, as in a general cauſe that concern'd their Salvation, and reſolv'd themſelves into a Method of Government, erected

ſeveral

ſeveral Tables, in which Deputies ſate for the Nobility, the Gentlemen, the Clergy, and the Burgeſſes; out of either of which Tables a Council was elected to conduct their affairs, and a Petition drawn up in the names of the Nobility, Lairds, Clergy, and Burgeſſes, to the King, complaining of the introduction of Popery, and many other Grievances. And if the Lords of the Council iſſued out any Order againſt them, or if the King himſelf ſent a Proclamation for their repair to their Houſes, and for the preſervation of the Peace, preſently ſome Nobleman deputed by the Tables publiſh'd a Proteſtation againſt thoſe Orders and Proclamations, with the ſame confidence, and with as much formality, as if the Government were regularly in Their hands.

The Scottiſh *Covenant.*

They call'd a General Aſſembly, whither they ſummon'd the Biſhops to appear before them, and for not appearing, Excommunicated them, and then they united themſelves by Subſcribing a Covenant, which they pretended with their uſual confidence to be no other, than had been Subſcribed in the Reign of King *James*, and that his Majeſty himſelf had Subſcribed it; by which Impoſition people of all degrees, ſuppoſing it might be a means to Extinguiſh the preſent Fire, with all alacrity engaged themſelves in it; whereas in truth, they had inſerted a Clauſe never heard of, and quite contrary to the End of that Covenant, whereby they obliged themſelves to purſue the Extirpation of Biſhops, and had the confidence to demand the ſame in expreſs terms of the King, in anſwer to a very gracious Meſſage the King had ſent to them. They publiſh'd bitter Invectives againſt the Biſhops, and the whole Government of the Church, which they were not contented to ſend only into *England* to kindle the ſame Fire there, but, with their Letters, ſent them to all the Reform'd Churches, by which they raiſed ſo great a Prejudice to the King, that too many of them believ'd, that the King had a real deſign to change Religion, and introduce Popery.

It is very true, there were very many of the Nobility, and Perſons of principal Quality of that Nation, and in *Edenborough* at that time who did not appear yet, and concur in this Seditious behaviour, or own their being yet of their Party; but on the contrary ſeem'd very much to diſlike their Proceedings: but it is as true, that very few had the courage to do any thing in Oppoſition to them, or to concur in the Proſecution of any Regal Act againſt them; which did in ſome reſpects more advance their Deſigns, than if they had manifeſtly joyn'd with them. For theſe Men, many of whom were of the Council, by all their Letters into *England*, exceedingly undervalued the Diſorder, as being "very eaſy to be Suppreſs'd in a "ſhort time, when the Peoples eyes ſhould be open'd; and that the removing the "Courts to ſome other place, and a gracious condeſcenſion in the King in offering "Pardon for what was paſt, would ſuddainly ſubdue them, and every body "would return to his Duty: and the City of *Edenborough* it ſelf writ an humble Letter to the Arch-Biſhop of *Canterbury*, excuſing the Diſorders which had been raiſed by the Ignorance and Rudeneſs of the meaneſt of the People, and beſeeching him "to intercede with his Majeſty for the ſuſpenſion of his Prejudice to "them, till they ſhould manifeſt their Duty to him, by inflicting exemplary "Puniſhment upon the chief Offenders, and cauſing the Liturgy to be received, "and ſubmitted to in all their Churches; which they profeſs'd they would in a ſhort time bring to paſs. So that by this means, and the Interpoſition of all thoſe of that Nation who attended upon his Majeſty in his Bed-Chamber, and in ſeveral Offices at Court, who all undertook to know by their Intelligences that all was Quiet, or would ſpeedily be ſo; his Majeſty (who well knew that they who appear'd moſt active in this Confederacy were much inferior to thoſe who did not appear, and who profeſs'd great Zeal for his Service) hardly prevail'd with himſelf to believe that he could receive any Diſturbance from thence, till he found all his Condeſcenſions had raiſed their Inſolence, all his Offers rejected, and his Proclamation of Pardon ſlighted and contemn'd; and that they were liſting men towards raiſing an Army, under the obligation of their Covenant, and had already choſen Colonel *Leſly*, a Soldier of that Nation of long Experience and eminent Command under the King of *Sweden* in *Germany*, to be their General; who being lately Diſobliged (as they call'd it) by the King, that is, denied ſomewhat he had a mind to have, had accepted of the Command. Then at laſt the King thought it time to reſort to other Counſels, and to provide Force to Chaſtiſe them, who had ſo much deſpiſed all his gentler Remedies.

He could now no longer defer the acquainting the Council-Board, and the whole Kingdom of *England*, with the indignities he had ſuſtain'd in *Scotland*; which he did by Proclamations, and Declarations at large, ſetting out the whole Proceedings which had been; and in the end of the Year 1638, declared his Reſolution to raiſe an Army to Suppreſs their Rebellion, for which he gave preſent order.

And this was the firſt Alarm *England* receiv'd towards any Trouble, after it had enjoy'd for ſo many Years the moſt uninterrupted Proſperity, in a full and plentiful Peace, that any Nation could be bleſs'd with: and as there was no apprehenſion of trouble from Within, ſo it was ſecured from Without, by a ſtronger Fleet at Sea than the Nation had ever been acquainted with, which drew reverence from all the neighbour Princes. The Revenue had been ſo well improved, and ſo warily managed, that there was Money in the Exchequer proportionable for the undertaking any noble enterprize: nor did this firſt noiſe of War, and approach towards Action, ſeem to make any impreſſion upon the Minds of men, the *Scots* being in no degree either Lov'd or Fear'd by the People; and moſt men hoped, that this would free the Court from being henceforth troubled with Thoſe men; and ſo they ſeem'd to embrace the Occaſion with notable alacrity: and there is no doubt, but if all of that Nation who were united in the Rebellion (ſome of which ſtaid yet in the Court) had march'd in their Army, and publickly Own'd the Covenant, which in their Hearts they adored, neither the King, nor the Kingdom, could have ſuſtain'd any great Damage by them; but the monument of their Preſumption and their Shame would have been raiſed together, and no other memory preſerv'd of their Rebellion but in their memorable Overthrow.

God Almighty would not ſuffer this diſcerning Spirit of Wiſdom to govern at this time: the King thought it unjuſt to condemn a Nation for the tranſgreſſion of a Part of it, and ſtill hoped to redeem it from the infamy of a General Defection by the exemplary Fidelity of a Superior Party, and therefore withdrew not his Confidence from any of thoſe who attended his Perſon, who, in truth, lay leiger for the Covenant, and kept up the Spirits of their Country-men by Their intelligence.

The King raiſes an Army againſt the Scots.

The King haſtened the raiſing an Army, which was not long in doing. He choſe to make the Earl of *Arundel* his General, a man who was thought to be made choice of for his Negative Qualities: He did not love the *Scots*; he did not love the Puritans; which Qualifications were allay'd by another Negative, he did not much love any body elſe: but he was fit to keep the State of it; and his Rank was ſuch, that no man would decline the ſerving under him.

The Earl of *Eſſex* was made Lieutenant-General of the Army, the moſt Popular man of the Kingdom, and the Darling of the Sword-men; who, between a hatred, and a contempt of the *Scots*, had nothing like an Affection for any man of that Nation; and therefore was ſo well pleaſed with his Promotion, that he begun to love the King the better for conferring it upon him, and entered upon the Province with great Fidelity and Alacrity, and was capable from that hour of any Impreſſion the King would have fix'd upon him.

The Earl of *Holland* was General of the Horſe; who, beſides the Obligations he had to the Queen (who vouchſafed to own a particular truſt in him) was not then liable to the leaſt Suſpicion of want of affection, and zeal for the King's Service.

In the beginning of the Spring, which was in the year 1639, an army was drawn together of near ſix thouſand Horſe, and about that number in Foot, all very well diſciplined Men, under as good and experienced Officers, as were to be found at that time in *Chriſtendom*. With this Army abundantly ſupplied with a Train of Artillery, and all other Proviſions neceſſary, the King advanced in the beginning of the Summer towards the Borders of *Scotland*.

and a Fleet.

This was not all the Strength that was provided for the Suppreſſing that Rebellion, but the King had likewiſe provided a good Fleet, and had cauſed a body of three thouſand Foot to be embark'd on thoſe Ships, all which were put under the Command of the Marquiſs of *Hamilton*, who was to infeſt the Country by Sea to hinder their Trade, and to make a deſcent upon the Land, and join with ſuch Forces as the Loyal Party of that Nation ſhould draw together to aſſiſt the King's, which his Own intereſt (as was believ'd) would give great Life to, his Family being numerous in the Nobility, and united in an entire Dependance upon him.

The Earl of Eſſex poſſeſſes Berwick.

Upon the firſt March of the Army Northwards, the Earl of *Eſſex* was ſent with a Party of Horſe and Foot, to uſe all poſſible expedition to poſſeſs himſelf of *Berwick*, which the King had been advertiſed the *Scots* would ſpeedily be Maſters of. The Earl loſt no time, but march'd day and night with great order and diligence; and every day met ſeveral *Scots*-men of Quality well known to him, and ſent expreſsly to the King, who all ſeverally made him very particular relations of the Strength of the *Scots* Army, the excellent Diſcipline that was obſerv'd in it, and the goodneſs of the Men, and that they were by that time poſſeſs'd of *Berwick*; and when he was within one days March of it (a Perſon of principal Condition, of very near relation to the King's Service, who pretended to be ſent upon matter of high Importance to his Majeſty from Thoſe who moſt intended his Service there) met him, and adviſed him very earneſtly " not to advance farther with his Party, which he ſaid, " was ſo much inferior in number to thoſe of the Enemy, that it " would infallibly be cut off; that himſelf overtook the day before a ſtrong Party of " the Army, conſiſting of three thouſand Horſe and Foot, with a Train of Artil- " lery, all which he left at ſuch a Place (which he named) within three hours " March of *Berwick*, where they reſolv'd to be the night before, ſo that his pro- " ceeding farther muſt be Fruitleſs, and expoſe him to inevitable Ruin. Theſe Advertiſements wrought no otherwiſe upon the Earl, than to haſten his Marches, inſomuch that he came to *Berwick* ſooner than he propoſed to have done, entred the place without the leaſt Oppoſition, and by all the Enquiry he could make by ſending out Parties, and other Advertiſements, he could not diſcover that any of the Enemies Forces had been drawn that way, nor indeed that they had any conſiderable Forces together nearer than *Edenborough*.

The Earl being thus poſſeſs'd of his Poſt, loſt no time in advertiſing the King of it, and ſent him a very particular account of the Informations he had receiv'd from ſo many Ear and Eye witneſſes, who were all at that time in the Court, and very fit to be Suſpected after the publiſhing of ſo many Falſhoods; and theſe very men had been conſtant in the ſame Reports, and as confident in reporting the Defeat of the Earl of *Eſſex* and cutting off his Party, as they had been to himſelf of the *Scots* March, and their being Maſters of *Berwick*. The Joy was not conceal'd with which his Majeſty receiv'd the News of the Earl's being in *Berwick*, the Contrary whereof thoſe men made him apprehend with much Perplexity; but they underwent no other reproach for their intelligence, than that their Fears had multiplied their Sight, and that they had been Frighted with other men's Relations; which Remiſsneſs, to call it no worſe, was an ill Omen of the Diſcipline that was like to be obſerv'd.

If the War had been now vigorouſly purſued, it had been as ſoon ended as begun, for at this time they had not drawn three thouſand men together in the whole Kingdom of *Scotland*, nor had in truth Arms compleat for ſuch a number, though They had the poſſeſſion of all the King's Forts and Magazines there, nor had they Ammunition to ſupply their few Fire-Arms; Horſes they had, and Officers they had, which made all their Shew. But it was the fatal Misfortune of the King, which proceeded from the Excellency of his Nature, and his Tenderneſs of Blood, that he Defer'd ſo long his reſolution of Uſing his Arms; and after he had taken that reſolution, that it was not Proſecuted with more Vigour,

He more intended the Pomp of his Preparations than the Strength of them, and did ſtill believe that the one would ſave the labour of the other. At the ſame time that he reſolv'd to raiſe an Army, he cauſed enquiry to be made, what Obligations lay upon his Subjects to aſſiſt him, both as he went himſelf in Perſon, and as it was an Expedition againſt the *Scots*; which, in the ancient Enmity between the two Nations, had been provided for by ſome Laws; and in the Tenure which many men held their Eſtates by, he found, that the Kings had uſually when they went to make War in their own Perſons, call'd as many of the Nobility to attend upon them, as they thought fit.

The King ſummons the Engliſh *Nobility to attend him.*

Thereupon he Summon'd moſt of the Nobility of the Kingdom, without any conſideration of their Affections how they ſtood diſpoſed to that Service, to Attend upon him by a day appointed, and throughout that Expedition; preſuming that the glory of ſuch a viſible appearance of the whole Nobility would look like ſuch an Union in the Quarrel, as would at once Terrify and Reduce the *Scots*; not conſidering, that ſuch kinds of Uniting do often produce the greateſt Confuſions when more and greater Men are call'd together than can be united in Affections, and Intereſts;

and

and in the neceſſary Differences which ariſe from thence, they quickly come to know each other ſo well, as they rather Break into ſeveral Diviſions, than join in any one Publick intereſt; and from hence have always riſen the moſt dangerous Factions, which have threatned and ruin'd the Peace of Nations: and it fell out no better here. If there had been none in the March but Soldiers, it is moſt probable that a noble Peace would have quickly enſued, even without Fighting; but the Progreſs was more illuſtrious than the March, and the Soldiers were the leaſt part of the Army, and leaſt conſulted with.

In this Pomp the King continued his journey to *York*, where he had a full Court, thoſe Noblemen of the Northern Parts, and many others who overtook not the King till then, joining all in that City; where his Majeſty found it neceſſary to ſtay ſome days; and there the Fruit, that was to be gather'd from ſuch a Conflux, quickly Budded out. Some Rules were to be ſet down for the Government of the Army; the Court was too Numerous to be wholely left to its own Licence; and the multitude of the *Scots* in it, adminiſtred matter of Offence and Jealouſy to People of all conditions, who had too much cauſe to fear that the King was every day Betray'd; the common Diſcourſe by all the *Scots* being either to magnify the Good Intentions of their Country-men, and that they had all Duty for the King, or to undervalue the Power and Intereſt of Thoſe who diſcover'd themſelves againſt the Church.

It was therefore thought fit by the whole body of the Council, that a ſhort Proteſtation ſhould be drawn, in which all men ſhould "profeſs their Loyalty and "Obedience to his Majeſty, and diſclaim and renounce the having any Intelligence, "or holding any Correſpondence with the Rebels. No man imagin'd it poſſible that any of the *Engliſh* would refuſe to make that Proteſtation; and they who thought worſt of the *Scots*, did not think they would make any Scruple of doing the ſame, and conſequently that there would be no Fruit, or Diſcovery from that Teſt; but they were deceiv'd: the *Scots* indeed took it to a man, without grieving their Conſcience, or reforming their Manners. But amongſt the *Engliſh* Nobility the Lord *Say*, and the Lord *Brook* (two Popular men, and moſt Undevoted to the Church, and, in truth, to the whole Government) poſitively refuſed in the King's own Preſence to make any ſuch Proteſtation. They ſaid, "If the King ſuſpected their Loyalty he might proceed againſt them as he thought "fit, but that it was Againſt the Law to impoſe any Oaths or Proteſtations upon "them which were not Enjoyn'd by the Law; and, in that reſpect, that they "might not Betray the common Liberty, they would not Submit to it. This adminiſtred matter of new Diſpute in a very unſeaſonable time; and though there did not then appear More of the ſame mind, and they two were Committed, at leaſt Reſtrain'd of their liberty, yet this diſcover'd too much the Humour and Spirit of the Court in their daily diſcourſes upon that Subject; ſo that the King thought it beſt to Diſmiſs thoſe two Lords, and require them to return to their Houſes: and if all the reſt, who were not Officers of the Army, or of abſolute Neceſſity about the King's perſon, had been likewiſe Diſmiſs'd and ſent home, the Buſineſs had been better Proſecuted.

Indeed if the King himſelf had ſtay'd at *London*, or, which had been the next beſt, kept his Court and reſided at *York*, and ſent the Army on their proper Errand, and left the matter of the War wholly to Them, in all humane reaſon, his Enemies had been ſpeedily Subdued, and that Kingdom reduced to their Obedience.

Before the King left *York*, Letters and Addreſſes were ſent from the *Scots*, "lamenting their ill Fortune that their Enemies had ſo great credit with the King, "as to perſuade him to believe that They were or could be Diſobedient to him, "a thing that could never enter into their Loyal hearts, that They deſired nothing "but to be admitted into the Preſence of their gracious Soveraign, to lay their "Grievances at his Royal Feet, and leave the Determination of them entirely to "his own Wiſdom and Pleaſure. And though the humility of the Style gain'd them many Friends, who thought it great pity that any Blood ſhould be ſpilt in a Contention which his Majeſty might put an end to by his own Word as ſoon as he would hear their Complaints, yet hitherto the King preſerv'd himſelf from being Wrought upon, and March'd with convenient expedition to the very Borders of *Scotland*, and Encamp'd with his Army in an open Field call'd *the Berkes*, on the further ſide of *Berwick*, and lodged in his Tent with the Army; though every

The King goes to the borders of Scotland with his Army.

days

days March wrought very much upon the Conſtitution if not the Courage of the Court, and too many wiſh'd aloud, " that the buſineſs were brought to a " fair Treaty.

Sends the Earl of Holland *as far as* Dunce.

Upon advertiſement that a Party of the *Scots* Army was upon the March, the Earl of *Holland* was ſent with a Body of three thouſand Horſe, and two thouſand Foot, with a fit Train of Artillery, to meet it, and Engage with it; who March'd accordingly into *Scotland* early in a Morning as far as a place call'd *Dunce*, ten or twelve Miles into that Kingdom. It was in the beginning of *Auguſt* when the Nights are very ſhort, and, as ſoon as the Sun riſes, the Days for the moſt part hotter than is reaſonably expected from the Climate; and by the teſtimony of all men that day was the hotteſt that had been known. When the Earl came with his Horſe to *Dunce*, he found the *Scots* drawn up on the ſide of a Hill, where the Front could only be in view, and where, he was inform'd, the General *Leſly* and the whole Army was; and it was very true, they were all there indeed; but it was as true, that all did not exceed the number of three thouſand Men, very ill Arm'd, and moſt Country Fellows, who were on the ſuddain got together to make that Shew: and *Leſly* had placed them by the advantage of that Hill ſo ſpeciouſly, that they had the appearance of a good Body of Men, there being all the ſemblance of great Bodies behind on the other ſide of the Hill; the falſhood of which would have been manifeſted as ſoon as they ſhould move from the place where they were, and from whence they were therefore not to ſtir.

The Horſe had out-march'd the Foot, which, by reaſon of the exceſſive Heat, was not able to uſe great expedition: beſides there was ſome error in the Orders, and ſome accidents of the Night that had retarded them; ſo that when the Enemy appear'd firſt in view, the Foot and the Artillery was three or four Miles behind.

The Earl's Retreat from Dunce.

Nothing can be ſaid in the Excuſe of the Counſel of that day, which Might have made the King a glorious King indeed. The Earl of *Holland* was a man of Courage, and at that time not at all ſuſpected to be Corrupted in his Affections; and though he himſelf had not ſeen more of War than two or three Campaigns in *Holland* before his coming to the Court, he had with him many as good Officers as the War of that age, which was very active, had made, and men of unqueſtionable Courage and Military knowledge. As he might very ſafely have made a Halt at *Dunce* till his Foot and Artillery came up to him, ſo he might ſecurely enough have engaged his Body of Horſe againſt their Whole inconſiderable Army, there being neither Tree nor Buſh to interrupt his Charge; but it was thought otherwiſe; and no queſtion it was generally believ'd, by the placing and drawing out their Front in ſo conſpicuous a place, by the appearance of other Troops behind them, and by the ſhewing great herds of Cattle at a diſtance upon the Hills on either ſide, that Their Army was very much Superior in number. And therefore as ſoon as the Earl came in view, he diſpatch'd Meſſengers one after another to the King, with an account of what He heard and ſaw, or believ'd he ſaw; and yet thought not fit to ſtay for an Anſwer; but with the joint Conſent of all his chief Officers (for it was never after pretended that any one Officer of name Diſſwaded it, though they were ſtill Aſhamed of it) Retired towards his Foot, to whom he had likewiſe ſent Orders not to Advance; and ſo Wearied and Tired by the length of the March, and more by the heat of the Weather, which was intolerable, they return'd to the Camp, where the King was; and the *Scots* drew a little back, to a more convenient Poſt for their reſidence.

The Covenanters, who very well underſtood the Weakneſſes of the Court, as well as their own Want of Strength, were very reaſonably exalted with this Succeſs, and ſcatter'd their Letters abroad amongſt the Noblemen at Court, according to the Humours of the men to whom they writ; there being upon the matter an unreſtrain'd Intercourſe between the King's Camp and *Edenborough*:

The Covenanters write to the three General Officers.

They writ three ſeveral Letters to the three Generals, the Earl of *Arundel*, the Earl of *Eſſex*, and the Earl of *Holland*. That to the Earl of *Eſſex* was in a dialect more Submiſs than to the others; they ſaid much to him of " his own Fame and " Reputation, which added to their Affliction that He ſhould be in Arms againſt " them; That they had not the leaſt imagination of entring into a War againſt " *England*, their only thought and hope was to Defend their own Rights and " Liberties, which were due to them by the Law of the Land, untill they might

" have

" have Acceſs to his Majeſty, to expoſe their Complaints to him, from which they " were hindred by the Power and Greatneſs of ſome of their own Country-men; being deſirous the Earl ſhould underſtand that their principal Grievance was the Intereſt of the Marquiſs of *Hamilton*, who, they knew, was not in any degree acceptable to the Earl, and therefore deſired him " to be ready to do them good " offices to the King, that they might be admitted to his preſence. The Earl of *Eſſex*, who was a punctual man in point of Honour, receiv'd this Addreſs ſuperciliouſly enough, ſent it to the King without returning any anſwer, or holding any Conference, or performing the leaſt Ceremony, with or towards the Meſſengers.

The Earls of *Arundel* and *Holland* gave another kind of reception to the Letters they receiv'd. To the former, after many profeſſions of high Eſteem of his Perſon, they enlarged upon " their great Affection to the *Engliſh* Nation, and how " they abhor'd the thought of a War between the two Nations; they beſought " him " to preſent their Supplication (which they incloſed) to the King, and to " procure their Deputies admiſſion to his Majeſty. The Earl uſed them with more reſpect than was ſuitable to the office of a General, and made many profeſſions of " his deſire to Interpoſe, and mediate a good Peace between the Nations: and it was confidently reported, and believ'd, that he had frequently made thoſe Profeſſions by ſeveral Meſſages he had ſent before into *Scotland*; and he had given Paſſes to many obſcure Perſons, to go into and return out of that Kingdom.

Their Letter to the Earl of *Holland* was in a more Confident ſtyle, as to a man from whom they Expected all good offices, they ſent him likewiſe a Copy of their Supplication to the King, and deſired him " to uſe his Credit that a Treaty might " be entred into, and that his Majeſty would appoint men of Religion and of " publick Hearts to manage the Treaty. From this time that Earl was found at leaſt enough inclined to That intereſt; and the King's readineſs to hear diſcourſes of a Pacification, and that Meſſengers would be ſhortly ſent to him with Propoſitions worthy of his Acceptation, abated thoſe Animoſities, and Appetite to War, which had made all the noiſe in the March.

Indeed the Marquiſs of *Hamilton*'s Neighbourly reſidence with his Fleet and Foot Soldiers before *Leith*, without any ſhew of Hoſtility, or any care taken to draw his Friends and Followers together for the King's Service; on the other ſide, the Viſits his Mother made him on board his Ship, who was a Lady of great Authority amongſt the Covenanters, and moſt addicted to them and their Covenant, her Daughters being likewiſe married to thoſe Noblemen, who moſt furiouſly perſecuted the Church, and preſided in thoſe Councils; the King's refuſing to give leave to ſome Officers of Horſe, who had offer'd to make Inroads into the Country, and deſtroy the Stock thereof, whereby they would be preſently obliged to make Submiſſion, and to ask Pardon; and laſtly the reception of the Earl of *Holland* after his ſhameful Retreat, with ſo much Satisfaction and Joy as his Majeſty had manifeſted upon his return (having after the firſt Meſſengers arrival from *Dunce*, when the Enemy was in view, ſent him Orders not to Engage) made it then ſuſpected, as it was afterwards believ'd by Thoſe who ſtood neareſt, that his Majeſty had in truth never any purpoſe to make the War in Blood, but believ'd that by ſhewing an Army to them which was able to force them to any Conditions, they would have beg'd Pardon for the Conteſt they had made, and ſo he ſhould have Settled the Church, and all things elſe according to his Pleaſure: and ſure he might have done ſo, if he had but Sate ſtill, and been Conſtant to his own Intereſt, and poſitive in Denying their inſolent Demands. But the *Scots* in the Court had made Impreſſion upon ſo many of the *Engliſh* Lords, that though at that time there were very few of them who had entred into an unlawful Combination againſt the King, yet there was almoſt a general diſlike of the War, both by the Lords of the Court and of the Country; and they took this Opportunity to communicate their Murmurs to each other; none of the Perſons who were moſt maligned for their Power and Intereſt with the King being upon the place; and all men believing, that nothing could be ask'd of the King but what muſt be ſatisfied at their charge, whoſe damage they conſider'd, though it was to be procured at the expence of the King's honour. When the Covenanters underſtood by their Intelligence that the Seaſon was ripe, they ſent their Supplication (of which they had ſcatter'd ſo many Copies) to the King, and found themſelves ſo Welcome to all perſons, that their modeſty was not like to ſuffer any violence in offering the conditions.

They addreſs to the King.

The *Scots* had, from the beginning, practis'd a new ſturdy ſtyle of Addreſs, in which, under the Licence of accuſing the Counſel and Carriage of Others, whom yet they never named, they bitterly and inſolently Reproach'd the moſt immediate actions and directions of his Majeſty himſelf; and then made the greateſt profeſſions of Duty to his Majeſty's Perſon that could be invented. The King had not, at that time, one Perſon about him of his Council who had the leaſt conſideration of his own Honour, or Friendſhip for thoſe who ſat at the Helm of Affairs; the Duke of *Lenox* only excepted; who was a young Man of ſmall experience in affairs, though a man of great Honour, and very good Parts, and under the diſadvantage of being look'd upon as a *Scots*-man; which he was not in his Affections at all, being born in *England* of an *Engliſh* Mother, and having had his Education there; and had indeed the manners and affections of an *Engliſh*-man, and a duty and reverence for the King and the Church accordingly, and would never truſt himſelf in thoſe Intrigues as too myſterious for him.

The reſt who were about the King in any offices of attendance, were the Earl of *Holland*, whom we have had occaſion to mention before in the firſt entrance upon this Diſcourſe, and whom we ſhall have often occaſion hereafter to ſpeak of; and therefore ſhall ſay no more of him now, than that he neither Lov'd the Marquis of *Hamilton*, whom he believ'd the *Scots* intended to revenge themſelves upon; nor *Wentworth* the Deputy of *Ireland*; nor the Arch-biſhop of *Canterbury*; nor almoſt any thing that was then done in Church or State. Secretary *Coke*, who had all the Diſpatches upon his hand, was near Eighty years of age; a man of gravity, who never had quickneſs from his Cradle; who lov'd the Church well enough as it was twenty years before; and underſtood nothing that had been done in *Scotland*, and thought that nothing that was or could be done there, was worth ſuch a Journey as the King had put himſelf to: Sir *Harry Vane* was Comptroller of the Houſe, and a buſy and a buſtling man; who had credit enough to do his buſineſs in all places, and cared for no man otherwiſe than as he found it very convenient for himſelf. There was no other of his Council of name, but the General the Earl of *Arundel*, who was always true to the Character under which he has been deliver'd, and thought he had been General long enough. All the Luſtre of the Court was in that part of the Nobility, which attended upon Command, and at their Own charge; and therefore the more Weary of it. The Earl of *Pembroke* hath been forgotten, who abhor'd the War as obſtinately as he lov'd Hunting and Hawking, and ſo was like to promote all overtures towards Accommodation with great Importunity: ſo the *Scots* found Perſons to treat with according to their own wiſh. The Earl of *Eſſex* ſtill preſerving his Grandeur and Punctuallity, poſitively refuſed to meddle in the Treaty, or to be communicated with, or ſo much as to be Preſent, or receive any Viſits from the *Scottiſh* Commiſſioners till after the Pacification was concluded.

The Covenanters were firm, and adhered ſtill to their old natural Principle, even in this their Addreſs; juſtified all they had done to be "according to their native "Rights, and for the better advancement of his Majeſty's Service, which they had "always before their Eyes; and deſired "to have thoſe receive exemplary Puniſh-"ment, who had done them ill Offices, and miſrepreſented their carriage to the "King; and that ſome noble Lords might be appointed to treat upon all Particu-"lars. And upon no other Submiſſion than this, a Treaty was preſently entred upon, and concluded.

A Treaty of Pacification entred upon and concluded.

Whoſoever will take upon him to relate all that paſs'd in that Treaty, muſt be beholding to his own Invention: the moſt material matters having paſs'd in Diſcourſe, and very little committed to Writing. Nor did any two who were preſent agree in the ſame Relation of what was ſaid, and done; and which was worſe, not in the ſame Interpretation of the Meaning of what was comprehended in Writing. An Agreement was made, if that can be call'd an Agreement in which no body meant what others believ'd he did: "The Armies were to be disbanded; an act of "Oblivion paſs'd; the King's Forts and Caſtles to be reſtored; and an Aſſembly "and Parliament to be call'd for a full Settlement; no perſons reſerv'd for Juſtice, "becauſe no Fault had been committed. The King's Army, by the very Words of the Agreement, was not to be disbanded untill all ſhould be executed on Their part; and the King himſelf, at that time, reſolv'd to be preſent in the Aſſembly at leaſt, if not in the Parliament: but the Impatience of all was ſuch for Peace, that the King's Army was preſently disbanded; His majeſty making all poſſible haſte himſelf to *London*, and ſending the Earl of *Traquaire* to *Edinborough*, to pre-

prepare all things for the Aſſembly; whilſt the *Scots* made all the Careſſes to many of the *Engliſh*, and both breath'd out in mutual confidence their Reſentments to each other.

The Marquiſs of *Hamilton* (whether upon the fame of the Treaty, or ſent for by the King, few knew) left his Fleet before *Leith* in a very peaceable poſture, and came to *the Berkes* ſome hours after the Treaty was Sign'd; which was very convenient to Him, for thereby he was free from the Reproach that attended it, and at Liberty to find Fault with it; which he did freely to the King, and to ſome others, whereby he preſerv'd himſelf in credit to do more Miſchief. Many were then of opinion, and ſtill are, that the Marquis at that time was very Unacceptable to his Country-men; and it is certain that the chief Managers at the Treaty did perſuade the *Engliſh* in whom they moſt confided, that their principal aim was to remove Him from the Court; which was a deſign willingly heard, and univerſally grateful. But whatever ſtate of grace he ſtood in when he came thither, he did himſelf ſo good offices before he parted, that he was no more in Their disfavour. The King's Army was preſently disbanded, and the *Scots* return'd to *Edenborough* with all they deſired; having gotten many more Friends in *England* than they had before; kept all their Officers, and as many of their Men as they thought fit in Pay; and proſecuted all thoſe who had not ſhew'd the ſame Zeal in their Covenant as themſelves with great rigour, as men whoſe Affections they doubted; and inſtead of Remitting any thing of their rage againſt their Biſhops, they entred a publick Proteſtation, "that they did not intend by any thing contain'd in the Trea-"ty to Vacate any of the Proceedings which had been in the late General Aſſembly "at *Glaſgow* (by which all the Biſhops ſtood Excommunicated); and renewed all their Menaces againſt them by Proclamation; and impoſed grievous Penalties upon all who ſhould preſume to harbour any of them in their Houſes: ſo that by the Time the King came to *London* it appear'd plainly, that the Army was disbanded without any Peace made, and the *Scots* in equal Inclination, and in more Reputation, to Affront his Majeſty than ever. Upon which a Paper publiſh'd by Them, and avow'd to contain the matter of the Treaty, was Burn'd by the Common Hang-man; every body diſavowing the Contents of it, but no body taking upon him to publiſh a Copy that they own'd to be True.

The Ill conſequences of it.

The Miſchief that befell the King from this wonderful Atonement cannot be expreſs'd, nor was it ever diſcover'd what prevail'd over his Majeſty, to bring it ſo Wofully to paſs: All men were aſhamed who had contributed to it; nor had he diſmiſs'd his Army with ſo obliging circumſtances as was like to incline them to come willingly together again, if there were occaſion to uſe their Service. The Earl of *Eſſex*, who had merited very well throughout the whole Affair, and had never made a falſe ſtep in Action or Counſel, was diſcharged in the Croud, without ordinary Ceremony; and an accident happening at the ſame time, or very ſoon after, by the Death of the Lord *Aſton*, whereby the Command of the Forreſt of *Needwood* fell into the King's diſpoſal, which lay at the very door of that Earl's Eſtate, and would infinitely have gratified him, was denied to Him, and beſtow'd upon Another: all which wrought very much upon his high Nature, and made him ſuſceptible of ſome Impreſſions afterwards, which otherwiſe would not have found ſuch eaſy admiſſion.

The Factions and Animoſities at Court were either greater, or more viſible, than they had been before. The Earl of *Newcaſtle* (who was Governour to the Prince, and one of the moſt valuable Men in the Kingdom, in his Fortune, in his Dependences, and in his Qualifications) had, at his own charge, drawn together a goodly Troop of Horſe of two hundred; which for the moſt part conſiſted of the beſt Gentlemen of the North, who were either Allied to the Earl, or of immediate Dependence upon him, and came together purely upon His account; and call'd this Troop *the Prince of* Wales's *Troop*; whereof the Earl himſelf was Captain. When the Earl of *Holland* march'd with that Party into *Scotland*, the Earl of *Newcaſtle* accompanied him with that Troop, and upon occaſion of ſome Orders, deſired that Troop, ſince it belong'd to the Prince of *Wales*, might have ſome Precedence; which the General of the Horſe refuſed to grant him, but required him to march in the rank he had preſcribed; and the other obey'd it accordingly, but with reſentment; imputing it to the little kindneſs that was between them. But as ſoon as the Army was disbanded, he ſent a Challenge to the Earl of *Holland*, by a Gentleman very punctual, and well acquainted with thoſe Errands; who took a proper

ſea-

ſon to mention it to him, without a poſſibility of ſuſpicion. The Earl of *Holland* was never ſuſpected to want Courage, yet in this occaſion he ſhew'd not that alacrity, but that the delay expoſed it to notice; and ſo by the King's Authority the matter was Compoſed; though diſcourſed of with liberty enough to give the whole Court occaſion to expreſs their Affections to either Party.

The King himſelf was very Melancholick, and quickly diſcern'd that he had loſt Reputation at home and abroad; and thoſe Counſellors who had been moſt Faulty, either through want of Courage or Wiſdom (for at that time few of them wanted Fidelity) never afterwards recover'd Spirit enough to do their Duty, but gave themſelves up to Thoſe who had ſo much Over-witted them; every man ſhifting the Fault from himſelf, and finding ſome Friend to Excuſe him: and it being yet neceſſary, that ſo Infamous a matter ſhould not be cover'd with abſolute Oblivion, it fell to Secretary *Coke*'s turn (for whom no body cared) who was then near fourſcore years of age, to be made the Sacrifice; and, upon pretence that he had Omitted the writing what he ought to have done, and Inſerted ſomewhat he ought not to have done, he was put out of his Office; and within a ſhort time after, Sir *Henry Vane*, who was Treaſurer of the Houſe, by the dark Contrivance of the Marquis of *Hamilton*, and by the open and viſible Power of the Queen, made Secretary of State; which was the only thing that could make the Removal of the other old man Cenſur'd and Murmur'd at: and this was attended again with a declared and unſeaſonable Diſlike and Diſpleaſure in the Queen againſt the Lieutenant of *Ireland*, newly made Earl of *Strafford*; who out of ſome kindneſs to the old man, who had been much truſted by him, and of uſe to him, and out of contempt and deteſtation of *Vane*, but principally out of a deſire to have that Miſcarriage expiated by a greater Sacrifice, oppoſed the Removal of Secretary *Coke* with all the intereſt he could, got it Suſpended for ſome time, and put the Queen to the exerciſe of her full power to perfect her work; which afterwards produced many ſad Diſaſters. So that this unhappy Pacification kindled many Fires of Contention in Court and Country, though the Flame broke out firſt again in *Scotland*.

On the other ſide, the *Scots* got ſo much Benefit and Advantage by it, that they brought all their other miſchievous Devices to paſs, with eaſe, and a proſperous Gale in all they went about. They had before little Credit abroad in any Forreign parts, and ſo could procure neither Arms nor Ammunition; and though they could lead the people at Home, out of the hatred and jealouſy of Popery, into unruly Tumults, yet they had not Authority enough over them to engage them in a firm reſolution of Rebellion; the Opinion of their unqueſtionable Duty and Loyalty to the King, was that which had given them reputation to Affront him: nor durſt they yet attempt to lay any Tax or Impoſition upon the People, or to put them to any Charge. But after this Pacification, they appear'd much more Conſiderable abroad and at home; Abroad, where they were not ſo much conſider'd before, now that they had brought an Army into the Field againſt the King, and gain'd all they pretended to deſire without reproach or blemiſh, *France* their old Ally look'd upon them as good Inſtruments to diſturb their Neighbours; and Cardinal *Richlieu* (who had never look'd upon the Defeat and overthrow at the Iſle of *Ree*, as any reparation for the Attempt and Diſhonour of the Invaſion) was very glad of the opportunity of Diſturbing a Reſt and Quiet, which had not been favourable to His Deſigns; and ſent an Agent privately to *Edenborough*, to cheriſh and foment their Unpeaceable Inclinations; and receiv'd Another from thence, who ſollicited Supplies, and communicated Counſels: he ſent them Arms and Ammunition, and promiſed them Encouragement and Aſſiſtance, proportionable to any Enterprize they ſhould frankly engage themſelves in. *Holland* entred into a cloſer correſpondence with them; and they found Credit there for a great ſtock of Arms and Ammunition, upon Security of payment within a year; which Security they eaſily found a way to give. And thus Countenanced, and Supplied, they quickly got Credit and Power over the People at Home; and as ſoon as they had formed ſome Troops of thoſe who had been liſted by them under good Officers (whereof ſtore reſorted to them of that Nation out of *Germany* and *Sweden*) and aſſign'd Pay to them, they made no longer ſcruple to Impoſe what Money they thought fit upon the People, and to levy it with all Rigour upon them who refuſed, or expreſs'd any unwillingneſs to ſubmit to the Impoſition; and made the reſidence of any amongſt them very uneaſy, and very inſecure, who were but ſuſpected by them not to wiſh well to their Proceedings: and ſo they renew'd all thoſe Forms for the Adminiſtration of the Government, which they

they had begun in the beginning of the Diſorders, and which they diſclaim'd upon making the Pacification; and refuſed to ſuffer the King's Governour of the Caſtle of *Edenborough* (which was put into his hands about the ſame time) either to repair ſome Works which were newly fall'n down, or ſo much as to buy Proviſion in the Town for the food of the Garriſon.

But that which was the greateſt Benefit and Advantage that accrew'd to them from the Agreement, and which was worth all the reſt, was the converſation they had with the *Engliſh* with ſo much Reputation, that they had perſwaded very many to believe, that they had all manner of Fidelity to the King, and had too much cauſe to complain of the hard Proceedings againſt them by the Power of ſome of their own Country-men; and the Acquaintance they made with ſome particular Lords, to that degree, that They did upon the matter agree what was to be done for the future, and how to obſtruct any Oppoſition or Proceedings by thoſe who were look'd upon as Enemies by both Sides: for none in *Scotland* more Diſliked all that was done in Court, and the chief Actors there, than Thoſe Lords of *England* did; though They were not ſo well prepared for an Expedient for the cure.

The People of *Scotland* being now reduced by Them to a more implicit Obedience, and no body daring to oppoſe the moſt extravagant proceedings of the moſt violent perſons in Power, they loſt no time, as hath been ſaid, to make all preparations for a War they meant to purſue. Moſt of the King's Privy-Council and great Miniſters, who (though they had not vigorouſly perform'd their duty in ſupport of the Regal Power) till now had been ſo reſerv'd that they Seem'd not to approve the Diſorderly Proceedings, now as frankly wedded that Intereſt as any of the Leaders, and quickly became the Chief of the Leaders.

The Earl of Argyle *joins with the Covenanters, notwithſtanding his great Obligations to the King.*

As the Earl of *Argyle*: who had been preſerv'd by the King's immediate Kindneſs and full Power, and reſcued from the Anger and Fury of his incenſed Father; who being provoked by the Diſobedience and Inſolence of his Son, reſolv'd ſo to have diſpoſed of his Fortune, that little ſhould have accompanied the Honour after his death. But by the King's interpoſition, and indeed impoſition, the Earl, in ſtrictneſs of the Law in *Scotland*, having need of the King's grace and protection, in regard of his being become Roman-Catholick, and his Majeſty granting all to the Son, which he could exact from the Father, the old man was in the end compell'd to make over all his Eſtate to his Son; reſerving only ſuch a proviſion for Himſelf, as ſupported him according to his Quality during his Life, which he ſpent in the parts beyond the Seas. The King had too much occaſion afterwards to remember, that in the cloſe, after his Majeſty had determin'd what ſhould be done on either part, the old Man declared "he would ſubmit to the King's Plea"ſure, though he believ'd he was hardly dealt with; and then with ſome Bitterneſs put his Son in mind of his Undutiful carriage towards him, and charged him "to carry in his mind how Bountiful the King had been to him; which yet, he "told him, he was ſure he would forget: and thereupon ſaid to his Majeſty, "Sir, I muſt know this Young man better than you can do; you have brought "me low, that you may raiſe him; which I doubt you will live to repent; for "he is a man of craft, ſubtilty, and falſhood, and can love no man; and if ever he "finds it in his power to do You miſchief, he will be ſure to do it. The King conſider'd it only as the effect of his Paſſion, and took no other care to prevent it, but by heaping every day new obligations upon him; making him a Privy-Counſellor, and giving him other Offices and power to do Hurt, thereby to Reſtrain him from doing it; which would have wrought upon any Generous Nature the Effect it ought to have done. The Earl (for his Father was now dead) came not to *Edenborough* during the firſt Troubles; and though he did not diſſemble his Diſpleaſure againſt the Biſhops, becauſe one of them had Affronted him, in truth, very Rudely, yet he renew'd all imaginable Profeſſions of Duty to the King, and a readineſs to engage in his Service, if thoſe Diſorders ſhould continue: but after the Pacification, and Disbanding of the King's Army, and the Covenanters declaring that they would adhere to the Acts of the Aſſembly at *Glaſgow*, he made haſt to *Edenborough* with a great train of his Family and Followers; and immediately ſign'd the Covenant, engaged for the proviſion of Arms, and raiſing Forces; and in all things behaved himſelf like a man that might very ſafely be confided in by that Party.

There wanted not perſons ſtill who perſwaded the King " that all might yet " be ended without Blood; that there were great Diviſions amongſt the chief " Leaders, through emulations and ambition of command; and that the acceſs of " the Earl of *Argyle* to that Party, would drive others as conſiderable from it, " who never did, nor ever would unite with Him in any deſign; and therefore adviſed " that his Majeſty would require them to ſend ſome perſons intruſted by " their Body to attend him, and give an account of the Reaſons of their Pro- " ceedings. They demanded a ſafe Conduct for the ſecurity of the perſons they ſhould employ; which was ſent accordingly: and thereupon ſome perſons of the Nobility, and Others, were Commiſſion'd to wait on the King; amongſt which the Lord *Lowden* was principally relied on for his Parts and Abilities; a man who was better known afterwards, and whom there will hereafter be ſo often occaſion to mention, as it will not be neceſſary in this place further to enlarge upon him. They behaved themſelves, in all reſpects, with the Confidence of men employ'd by a Forreign State; refuſed to give any account but to the King himſelf; and even to Himſelf gave no other Reaſon for what was done, but the Authority of the doers, and the Neceſſity that required it; that is, that They thought it neceſſary: but then they Poliſh'd their ſturdy behaviour with all the profeſſions of Submiſſion and Duty, which their Language could afford.

A Letter intercepted from ſome of the Scottiſh *Nobility to the* French *King.*

At this time the King happen'd to intercept a Letter, which had been ſign'd by the chief of the Covenanters, and particularly by the Lord *Lowden*, written to the *French* King; in which they complain'd " of the Hardneſs and Injuſtice of the " Government that was exerciſed over them; put him in mind of the Dependence " this Kingdom formerly had upon that Crown; and deſired him now to take " them into His Protection, and give them Aſſiſtance; and that his Majeſty would " give entire credit to one *Colvil*, who was the Bearer of that Letter, and well " inſtructed in all Particulars: and the Letter it ſelf was ſeal'd, and directed *Au Roy*; a ſtyle only uſed from Subjects to their natural King. This Letter being ſeen and peruſed by the Lords of the Council, and the Lord *Lowden* being examin'd, and refuſing to give any other anſwer, than " that it was writ before " the Agreement, and thereupon reſerv'd and never ſent; that if he had commit- " ted any offence, he ought to be Queſtion'd for it in *Scotland*, and not in *Eng-* " *land*; and inſiſting upon his ſafe Conduct, demanded liberty to return. All men were of opinion that ſo foul a Conſpiracy and Treaſon ought not to be ſo Slightly excuſed; and that both the Lord *Lowden*, and *Colvil* (who was likewiſe found in *London* and apprehended) ſhould be committed to the Tower: which was done accordingly; all men expecting that they ſhould be brought to a ſpeedy Tryal

This Diſcovery made a very deep Impreſſion upon the King; and perſwaded him that ſuch a foul Application could never have been thought of, if there had not been more Poyſon in the heart than could be expell'd by eaſy Antidotes; and that the ſtrongeſt Remedies muſt be provided to root out this Miſchief: thereupon he firſt adviſed with that Committee of the Council which uſed to be conſulted in Secret affairs, What was to be done? That Summers action had waſted all the Money that had been carefully laid up; and to carry on that vaſt Expence, the Revenue of the Crown had been Anticipated: ſo that, though the raiſing an Army was viſibly Neceſſary, there appear'd no means How to raiſe that Army. No Expedient occurr'd to them ſo proper as a Parliament, which had been now intermitted near twelve years. And though thoſe Meetings had of late been attended by ſome Diſorders, the effects of Mutinous Spirits; and the laſt had been Diſſolv'd (as hath been ſaid before) with ſome circumſtances of Paſſion and Undutifulneſs, which ſo far Incenſed the King that he was leſs inclined to thoſe Aſſemblies; yet this long Intermiſſion, and the general Compoſure of mens minds in a happy Peace, and univerſal Plenty over the whole Nation (ſuperior ſure to what any other Nation ever enjoy'd) made it reaſonably believ'd, notwithſtanding the murmurs of the People againſt ſome exorbitancies of the Court, that Sober men, and ſuch as lov'd the Peace and Plenty they were poſſeſs'd of, would be made choice of to ſerve in the Houſe of Commons; and then the temper of the Houſe of Peers was not to be apprehended: but eſpecially the opinion of the Prejudice and general Averſion over the whole Kingdom to the *Scots*, and the Indignation they had at Their preſumption in their deſign of Invading *England*, made

made it believ'd that a Parliament would expreſs a very ſharp ſenſe of their Inſolence and carriage towards the King, and provide Remedies proportionable.

Upon theſe Motives, and Reaſons, with the unanimous conſent and advice of the whole Committee, the King reſolv'd to Call a Parliament; which he communicated the ſame day, or rather took the reſolution that day, in his full Council of State, which expreſs'd great Joy upon it; and directed the Lord Keeper to iſſue out Writs for the meeting of a Parliament upon the Third day of *April* then next enſuing; it being now in the Month of *December*; and all expedition was accordingly uſed in ſending out the ſaid Writs, the notice of it being moſt Welcome to the whole Kingdom. *A Parliament call'd in England to ſit in April 1640.*

That it might appear that the Court was not at all apprehenſive of what the Parliament would or could do; and that it was Convened by his Majeſty's grace and inclination, not by any motive of neceſſity; it proceeded in all reſpects in the ſame Unpopular ways it had done; Ship-money was levied with the ſame ſeverity; and the ſame rigour uſed in Eccleſiaſtical Courts, without the leaſt compliance with the humour of any man; which look'd like Steadineſs; and, if it were Then well purſued, degenerated too ſoon afterwards.

In this interval, between the ſealing of the Writs and the convention of a Parliament, the Lord Keeper *Coventry* died; to the King's great detriment, rather than to his Own. So much hath been ſaid already of this great Man, that there ſhall be no further enlargement in this place, than to ſay, that he was a very Wiſe and Excellent perſon, and had a rare Felicity, in being look'd upon generally throughout the Kingdom with great Affection, and ſingular Eſteem, when very few other men in any high Truſt were ſo; and it is very probable, if He had liv'd to the Sitting of that Parliament, when, whatever lurk'd in the Hearts of any, there was not the leaſt Outward appearance of any Irreverence to the Crown, that he might have had great Authority in the forming thoſe Counſels, which might have preſerv'd it from ſo unhappy a Diſſolution. His Loſs was the more manifeſt and viſible in his Succeſſor; the Seal being within a day or two given to Sr. *John Finch*, Chief Juſtice of the Court of Common Pleas; a man exceedingly obnoxious to the People upon the buſineſs of Ship-money; and not of Reputation and Authority enough, to countenance and advance the King's Service. *The Lord Keeper Coventry Dies.* *Sir* John Finch *made Lord Keeper.*

Theſe Digreſſions have taken up too much time, and may ſeem Forreign to the proper ſubject of this Diſcourſe; yet they may have given ſome Light to the obſcure and dark paſſages of that time, which were underſtood by very few.

The Parliament met according to Summons upon the Third of *April* in the Year 1640, with the uſual Ceremony and Formality; and after the King had ſhortly mention'd "his deſire to be again acquainted with Parliaments, after ſo long an Intermiſſion, "and to receive the Advice and Aſſiſtance of his Subjects there; he refer'd the Cauſe of the preſent Convention to be enlarged upon by the Lord Keeper: who related the whole Proceedings of *Scotland*; "his Majeſty's condeſcenſions the "Year before, in diſbanding his Army upon their promiſes and profeſſions; their "Inſolencies ſince; and their Addreſs to the King of *France*, by the Letter men- "tion'd before; which the King had touch'd upon, and having forgot to make the Obſervation upon the Superſcription himſelf, he required the Keeper to do it; who told them after the whole Relation, "That his Majeſty did not expect Ad- "vice from them, much leſs that They ſhould interpoſe in any office of Mediation, "which would not be Grateful to him; but that they ſhould, as ſoon as might be, "give his Majeſty ſuch a Supply, as he might provide for the Vindication of his "Honour, by raiſing an Army, which the Seaſon of the Year, and the Progreſs "the Rebels had already made, call'd for without delay; and his Majeſty aſſured "them, if they would gratify him with the diſpatch of This matter, that he "would give them time enough afterwards to repreſent any Grievances to him, "and a favourable Anſwer to them: and ſo diſmiſs'd the Commons to chuſe their Speaker; to which Serjeant *Glanvile* was deſign'd, and choſen the ſame day: a man very equal to the work, very well acquainted with the Proceedings in Parliament, of a quick conception, and of a ready and voluble expreſſion, dextrous in diſpoſing the Houſe, and very acceptable to them. The Earl of *Arundel*, Earl Marſhal of *England*, was made Lord Steward of the King's Houſe; an Office neceſſary in the beginning of a Parliament; being to ſwear all the Members of the Houſe of Commons before they could ſit there. Two days after, the Commons preſented their Speaker *The Parliament met* April *the Third*, 1640. *Serjeant* Glanvile *choſen Speaker.*

to

to the King, who, in the accuſtom'd manner, approved their choice; upon which they return'd to their Houſe, being now form'd and qualified to enter upon any Debates.

The Houſe met always at eight of the Clock, and roſe at twelve; which were the old Parliament hours; that the Committees, upon whom the greateſt burden of the buſineſs lay, might have the Afternoons for Their preparation and diſpatch. It was not the Cuſtom to enter upon any Important buſineſs in the firſt Fortnight; both becauſe many Members uſed to be abſent ſo long; and that time was uſually thought neceſſary for the appointment and nomination of Committees, and for other Ceremonies and Preparations that were uſual: but there was no regard Now to that Cuſtom; and the appearance of the Members was very great, there having been a large time between the iſſuing out of the Writs and the meeting of the Parliament, ſo that all Elections were made, and return'd, and every body was willing to fall to the Work.

Mr. Pym's, *and Others Speeches concerning Grievances.*

Whilſt men gazed upon each other, looking who ſhould begin (much the greateſt part having never before ſate in Parliament) Mr. *Pym*, a Man of good reputation, but much better known afterwards, who had been as long in thoſe Aſſemblies as any man then living brake the Ice, and in a ſet Diſcourſe of above two hours, after mention of the King with the moſt profound reverence, and commendation of his Wiſdom and Juſtice, he obſerv'd, " that by the long Intermiſſion of Parlia-" ments many Unwarrantable things had been practiſed, notwithſtanding the " great Virtue of his Majeſty: and then enumerated all the Projects which had been ſet on foot; all the Illegal Proclamations which had been publiſh'd and the Proceedings which had been upon thoſe Proclamations; the Judgement upon Ship-money; and many Grievances which related to the Eccleſiaſtical Juriſdiction; ſumming up ſhortly, and ſharply, all that moſt reflected upon the Prudence, and the Juſtice of the Government; concluding, " that he had only laid " that Scheme before them, that they might ſee how much work they had to do to " Satisfy their Country; the method and manner of the doing whereof he left to their Wiſdoms. Mr. *Grimſton* inſiſted only on the buſineſs of Ship-money; the irregular and prepoſterous engaging the Judges to deliver their Opinion to the King, and their being afterwards divided in their Judgements; and ſaid, " he was per-" ſuaded, that They, who gave their opinions for the Legality of it, did it againſt " the *dictamen* of their own Conſcience. *Peard*, a bold Lawyer, of little note, inveigh'd more Paſſionately againſt it, calling it *an Abomination:* upon which, *Herbert*, the King's Sollicitor, with all imaginable Addreſs, in which he then excell'd, put them in mind " with what Candour his Majeſty had proceeded in That, and " all Other things, which related to the adminiſtration of Juſtice to all his People; " that, how perſuaded ſoever He was within himſelf of the Juſtice as well as Ne-" ceſſity of levying Ship-money, he would not ſend out a Writ for the doing " thereof, till he receiv'd the affirmative Advice of all the Judges of *England*; and " when the payment was Oppoſed by a Gentleman (and then he took occaſion to ſtroke and commend Mr. *Hambden*, who ſate under him, for his great temper and modeſty in the proſecution of that Suit) " the King was very well con-" tented that all the Judges of *England* ſhould determine the Right; that never " any Cauſe had been debated and argued more Solemnly before the Judges; who, " after long Deliberation between themſelves, and being attended with the Records, " which had been cited on both Sides, deliver'd each man his Opinion and Judge-" ment publickly in the Court, and ſo largely, that but two Judges argued in a " day; and after all this, and a Judgement with that Solemnity pronounced for " the King, by which the King was as Legally poſſeſs'd of that Right, as of any " thing elſe he had; that any particular man ſhould preſume to ſpeak againſt it " with that Bitterneſs, and to call it *an Abomination*, was very Offenſive, and Un-" warrantable; and deſired that that Gentleman, who had uſed that Expreſſion, " might Explain himſelf, and then withdraw. Very many call'd him to the Bar; and the Sollicitor's Diſcourſe was thought to have ſo much weight in it, that Mr. *Peard* very hardly eſcaped a ſevere Reprehenſion: which is mention'd only that the temper and ſobriety of that Houſe may be taken notice of, and their Diſſolution, which ſhortly after fell out, the more lamented.

Though the Parliament had not ſate above ſix or ſeven days, and had managed all their Debates, and their whole Behaviour with wonderful order and ſobriety, the

Court

Court was impatient that no advance was yet made towards a Supply; which was foreſeen would take up much time, whenſoever they went about it, though never ſo cordially; and therefore they prevail'd with the Houſe of Peers, which was more entirely at the King's diſpoſal, that they would demand a Conference with the Houſe of Commons, and then propoſe to them, by way of advice, "that they would begin with giving the King a Supply, in regard of "the urgency and even neceſſity of his affairs, and afterwards proceed upon their "Grievances, or any thing elſe as they thought fit: and the Houſe of Peers accordingly did give their advice to this purpoſe at a Conference. This Conference was no ſooner reported in the Houſe of Commons, than their whole Temper ſeem'd to be ſhaken. It was the undoubted Fundamental priviledge of the Commons in Parliament, that all Supplies ſhould have their riſe and beginning from Them; this had never been infringed, or violated, or ſo much as queſtion'd in the worſt Times; and that now after ſo long intermiſſion of Parliaments, that all Priviledges might be forgotten, the Houſe of Peers ſhould begin with an action their Anceſtors never attempted, adminiſtred too much cauſe of Jealouſy of ſomewhat elſe that was intended, and ſo with an unanimous conſent they declar'd it to be "ſo high a Breach of Priviledge, that they could "not proceed upon any other matter until they firſt receiv'd Satisfaction and "Reparation from the Houſe of Peers; and which the next day they demanded at a Conference. The Lords were ſenſible of their error; which had been foreſeen, and diſſwaded by many of them; they "acknowledg'd the Priviledge of "the Commons as fully as they demanded it, and hoped they had not broken "it by offering their advice to them, without mentioning the nature of the Supply, "the proportion or manner of raiſing it, which they confeſs'd belong'd en-"tirely to Them: in fine, they deſired them, "that this might be no occaſion "of waſting their time, but that they would proceed their Own way, and in "their Own method. upon the affairs of the Kingdom. This gave no ſatisfaction; was no reparation; and ſerv'd Their turn who had no mind to give any Supply without diſcovering any ſuch diſſatisfaction, which would have got them no credit, the Houſe generally being exceedingly diſpoſed to pleaſe the King, and to do him ſervice. But this Breach of Priviledge, which was craftily enlarged upon as if it ſwallow'd up all their other Priviledges, and made them wholely ſubſervient to the Peers, was univerſally reſented. A Committee was appointed to examine Preſidents of former times, in caſe of violation of their Priviledges by the Lords, though not of that magnitude, and thereupon to prepare a Proteſtation to be ſent up to the Houſe of Peers, and to be entred into their own Journal; and in the mean time no proceedings to be in the Houſe upon any publick buſineſs, except upon ſome report from a Committee.

The Houſe of Peers adviſe the Commons to begin with a Supply.

This voted a Breach of Priviledge by the Commons.

After ſome days had paſs'd in this manner, and it not being in view when this debate would be at an end, the King thought of another expedient, and ſent a meſſage in writing to the Commons by Sr. *Henry Vane*, who was now both Secretary of State and Treaſurer of the Houſhold, and at that time of good credit there; wherein his Majeſty took notice, "that there was ſome dif-"ference between the two Houſes, which retarded the tranſaction of the great "affairs of the Kingdom, at a time when a forreign Army was ready to in-"vade it: That he heard the payment of Ship-money, notwithſtanding that it "was adjudged his right, was not willingly ſubmitted to by the People; to "manifeſt therefore his good affection to his Subjects in general, he made this "Propoſition, That if the Parliament would grant him twelve Subſidies to be "paid in three years, in the manner propoſed (that was, five Subſidies to be "paid the firſt year, four the ſecond, and three to be paid the laſt year) his "Majeſty would then releaſe all his title or pretence to Ship-money for the future, in ſuch a manner as his Parliament ſhould adviſe.

The King's Propoſition to the Houſe of Commons.

Though Exceptions might have been taken again in point of Priviledge, becauſe his Majeſty took notice of the difference between the two Houſes; yet that Spirit had not Then taken ſo deep root: ſo that they reſolv'd to enter, the next day after the delivery of it, upon a full debate of his Majeſty's Meſſage; they who deſired to obſtruct the giving any Supply, believing they ſhould eaſily prevail to reject this propoſition, upon the greatneſs of the ſum demanded, without appearing not to favour the Cauſe in which it was to be employ'd, which they could not have done with any advantage to themſelves, the number

This debated.

of that Claſſis of men being then not conſiderable in the Houſe. It was about the firſt day of *May* that the Meſſage was deliver'd, and the next day it was reſumed about nine of the Clock in the Morning, and the debate continued till four of the Clock in the Afternoon; which had been ſeldom uſed before, but afterwards grew into cuſtom. Many obſerv'd "that they were to purchaſe a "releaſe of an Impoſition very Unjuſtly laid upon the Kingdom, and by pur- "chaſing it, they ſhould upon the matter confeſs it had been Juſt; which "no man in his heart acknowledg'd; and therefore wiſh'd "that the Judge- "ment might be firſt examin'd, and being once declared Void, what they ſhould "preſent the King with, would appear a Gift, and not a Recompenſe: but this was rather modeſtly inſinuated, than inſiſted upon; and the greater number reflected more on the Proportion demanded, which ſome of thoſe who were thought very well to underſtand the ſtate of the Kingdom confidently affirm'd to be more than the whole ſtock in Money of the Kingdom amounted to; which appear'd ſhortly after to be a very groſs Miſcomputation. There were very few, except thoſe of the Court (who were ready to give all that the King would ask, and indeed had little to give of their own) who did not believe the Sum demanded to be too great, and wiſh'd that a leſs might be accepted, and therefore were willing, when the day was ſo far ſpent, that the Debate might be adjourn'd till the next morning; which was willingly conſented to by all, and ſo the Houſe roſe. All this agitation had been in a Committee of the whole Houſe, the Speaker having left the Chair, to which Mr. *Lenthall*, a Lawyer of no eminent account, was call'd. But there was not, in the whole day, in all the variety of contradictions, an offenſive or angry word ſpoken: except only that one private Country Gentleman little known, ſaid, "he ob- "ſerv'd that the Supply was to be employ'd in the ſupporting *Bellum Epiſ-* "*copale*, which he thought the Biſhops were fitteſt to do themſelves: but as there was no reply, or notice taken of it, ſo there was no body, who ſeconded that envious reflexion, nor any other expreſſion of that kind.

The next day as ſoon as the Houſe met, and Prayers were read, it reſolv'd again into a Committee of the whole Houſe, the ſame Perſon being again call'd to the Chair: it was expected, and hoped, that there would have been ſome new meſſage from the King, that might have facilitated the debate; but nothing appearing of that kind, the Propoſition was again read, and men of all ſides diſcourſed much of what had been ſaid before, and many ſpoke with more reflexion upon the Judgement of Ship-money than they had done the day paſt, and ſeem'd to wiſh, "that whatſoever they ſhould give the King ſhould be a "free teſtimony of their affection and duty, without any releaſe of Ship-money, "which deſerv'd no conſideration, but in a ſhort time would appear void and "null. And this ſeem'd to agree with the ſenſe of ſo great a part of the Houſe, that Mr. *Hambden* the moſt Popular man in the Houſe (the ſame who had defended the Suit againſt the King in his own Name, upon the Illegality of Ship-money) thought the matter ripe for the Queſtion, and deſired the Queſtion might be put, Whether the Houſe would conſent to the Propoſition made by the King, "as it was contain'd in the meſſage? which would have been ſure to have found a Negative from all who thought the Sum too great, or were not pleaſed that it ſhould be given in recompenſe of Ship-money.

When many call'd to have this Queſtion, Serjeant *Glanvile* the Speaker (who ſat by amongſt the other Members whilſt the Houſe was in a Committee, and hath rarely uſed to ſpeak in ſuch ſeaſons) roſe up, and in a moſt pathetical Speech, in which he excell'd, endeavour'd to perſwade the Houſe "to "comply with the King's deſire, for the good of the Nation, and to reconcile "him to Parliaments for ever, which this ſeaſonable teſtimony of their affections "would infallibly do. He made it manifeſt to them how very inconſiderable a Sum twelve Subſidies amounted to, by telling them, "that he had computed "what he was to pay for thoſe twelve Subſidies; and when he named the Sum, he being known to be poſſeſs'd of a great Eſtate, it ſeem'd not worth any farther Deliberation. And in the warmth of his Diſcourſe, which he plainly diſcern'd made a wonderful impreſſion upon the Houſe, he let fall ſome ſharp expreſſions againſt the Impoſition of Ship money, and the Judgement in the point, which he ſaid plainly "was againſt Law, if he underſtood what Law was (who was known to be very Learned); which expreſſion, how neceſſary and artificial ſoever

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to reconcile the affections of the Houſe to the matter in queſtion, very much irreconciled him at Court, and to Thoſe upon whom he had the greateſt dependence.

There was ſcarce ever a Speech that more gather'd up and united the inclinations of a Popular Council to the Speaker: and if the queſtion had been preſently put, it was believ'd the number of the Diſſenters would not have appear'd great. But after a ſhort ſilence, ſome men, who wiſh'd well to the Main, expreſs'd a diſlike of the Way, ſo that other men recover'd new courage, and call'd again with the ſame earneſtneſs, "that the Queſtion formerly propoſed by Mr. *Hambden* ſhould be put; which ſeem'd to meet with a concurrence. Mr. *Hyde* then ſtood up, and deſired "that Queſtion might not be put; ſaid it was a Captious queſtion, to which only "one ſort of men could clearly give their Vote, which were They who were for a "rejection of the King's Propoſition, and no more reſuming the Debate upon that "Subject: but that they who deſired to give the King a Supply, as he believ'd "moſt did, though not in ſuch a Proportion, nor, it may be, in that manner, could "receive no Satisfaction by that queſtion; and therefore he propoſed, to the end "that every man might frankly give his Yea, or his No, that the queſtion might be "put only, upon the giving the King a Supply, which being carried in the "Affirmative, another queſtion might be upon the Proportion, and the Manner; "and if the firſt were carried in the Negative, it would produce the ſame effect, "as the other queſtion propoſed by Mr. *Hambden* would do.

This method was receiv'd by ſome with great approbation, but oppoſed by others with more than ordinary Paſſion, and diverted by other Propoſitions, which being ſeconded took much time, without pointing to any Concluſion. In the end Serjeant *Glanvile* ſaid, "that there had been a Queſtion propoſed by his Country-"man, that agreed very well with His ſenſe, and moved that the Gentleman might "be call'd upon to propoſe it again. Mr. *Hyde* ſtated the caſe again as he had done, anſwer'd ſomewhat that had been ſaid againſt it, and moved "that queſtion "might be put. Whereupon for a long time there was nothing ſaid, but a confuſed clamour, and call, *Mr.* Hambden's *Queſtion*, *Mr.* Hyde's *Queſtion*; the call appearing much ſtronger for the laſt, than the former; and it was generally believ'd that the Queſtion had been put, and carried in the Affirmative, though it was poſitively oppoſed by *Herbert* the Sollicitor General, for what reaſon no man could imagine, if Sir *Henry Vane* the Secretary had not ſtood up, and ſaid, "that, as it "had been always his cuſtom to deal plainly and clearly with that Houſe in all "things, ſo he could not but now aſſure them, that the putting, and carrying "that Queſtion, could be of no uſe; for that he was moſt ſure, and had Autho-"rity to tell them ſo, that if they ſhould paſs a Vote for the giving the King a Sup-"ply, if it were not in the Proportion and Manner propoſed in his Majeſty's "meſſage, it would not be accepted by him; and therefore deſired that Queſtion "might be laid aſide; which being again urged by the Sollicitor General upon the Authority of what the other had declared, and the other Privy-Counſellors ſaying nothing, though they were much diſpleaſed with the Secretaries averment, the buſineſs was no more preſs'd: but it being near five of the Clock in the afternoon, and every body weary, it was willingly conſented to that the Houſe ſhould be adjourn'd till the next morning.

Both Sr. *Henry Vane*, and the Sollicitor General (whoſe opinion was of more weight with the King than the others) had made a worſe repreſentation of the humour and affection of the Houſe than it deſerv'd, and undertook to know, that if they came together again, they would paſs ſuch a Vote againſt Ship-money, as would blaſt that Revenue and other Branches of the Receipt; which others believ'd they would not have had the confidence to have Attempted; and very Few, that they would have had the credit to have Compaſs'd. What follow'd in the next Parliament, within leſs than a year, made it believ'd, that Sr. *Henry Vane* acted that part Maliciouſly, and to bring all into Confuſion; he being known to have an implacable hatred againſt the Earl of *Strafford* Lieutenant of *Ireland*, whoſe deſtruction was then upon the anvil. But what tranſported the Sollicitor, who had none of the ends of the other, could not be imagin'd, except it was his pride, and peeviſhneſs, when he found that he was like to be of leſs Authority there, than he look'd to be; and yet he was heard with great attention, though his Parts were moſt prevalent in puzzling and perplexing that diſcourſe he meant to croſs. Let their motives be what they would, they Two, and they only, wrought ſo far with the King, that

that without ſo much Deliberation as the affair was worthy of, his Majeſty the next morning, which was on the fifth of *May*, near a month after their firſt meeting, ſent for the Speaker to attend him, and took care that he ſhould go directly to the Houſe of Peers, upon ſome apprehenſion that if he had gone to the Houſe of Commons, that Houſe would have entred upon ſome ingrateful diſcourſe; which they were not inclined to do, and then ſending for that Houſe to attend him, the Keeper, by his Majeſty's command, Diſſolv'd the Parliament.

The Parliament diſſolv'd.

There could not a greater damp have ſeized upon the Spirits of the whole Nation, than this Diſſolution cauſed; and men had much of the miſery in view, which ſhortly after fell out. It could never be hoped that more ſober and diſpaſſionate men would ever meet together in that place, or fewer who brought ill purpoſes with them; nor could any man imagine what offence they had given, which put the King upon that reſolution; But it was obſerv'd, that in the countenances of Thoſe who had moſt oppoſed all that was deſired by his Majeſty, there was a marvellous Serenity; nor could they conceal the Joy of their hearts: for they knew enough of what was to come, to conclude that the King would be ſhortly compell'd to call another Parliament, and they were as ſure, that ſo many, ſo unbiaſs'd men, would never be elected again.

Within an hour after the diſſolving, Mr. *Hyde* met Mr. *Saint-John*, who had naturally a great cloud in his Face, and very ſeldom was known to ſmile, but Then had a moſt chearful aſpect, and ſeeing the other melancholick, as in truth he was from his heart, aſk'd him, "what troubled him? who anſwer'd, "That the ſame "that troubled Him, he believ'd troubled moſt good Men; that in ſuch a time of "Confuſion, ſo wiſe a Parliament, which alone could have found Remedy for it, "was ſo unſeaſonably diſmiſs'd: the other anſwer'd with a little warmth, "That "all was well; and that it muſt be Worſe, before it could be Better; and that "this Parliament could never have done, what was neceſſary to be done: as in"deed it would not, what He and His friends thought neceſſary.

The King, when he had better reflected upon what was like to fall out, and was better inform'd of the temper and duty of the Houſe of Commons, and that they had voted a Supply, if Sr. *Henry Vane* had not hindred it by ſo poſitive a Declaration that his Majeſty would refuſe it, was heartily Sorry for what he had done; declared with great anger, "that he had never given him ſuch Authority; and that "He knew well that the giving him any Supply would have been welcome "to him, becauſe the reputation of his Subjects aſſiſting him in that conjuncture, "was all that he look'd for and conſider'd. He conſulted the ſame day, or the next, whether he might by his Proclamation recall them to meet together again: but finding that impoſſible, he fell roundly to find out all expedients for the raiſing of Money, in which he had ſo wonderful ſucceſs, that, in leſs than three Weeks, by the voluntary loan of the particular Lords of the Council, and of other private Gentlemen about the City, ſome relating to the Court, and others ſtrangers to it, there was no leſs than three hundred thouſand Pounds paid into the Exchequer to be iſſued out as his Majeſty ſhould direct: a Summ that ſufficiently manifeſts the plenty of that Time, and greater than moſt Princes in *Europe* could have commanded in ſo ſhort a time; and was an unanſwerable evidence, that the hearts of his Subjects were not then alien'd from their duty to the King, or a juſt jealouſy for His honour.

The King's trouble for it afterward.

An Army raiſed.

All diligence was uſed in making Levies, in which few of the General Officers which had been employ'd the year before were made uſe of; though it was great pity that the Earl of *Eſſex* was not again taken in; which had infallibly preſerv'd him from ſwerving from his Duty, and he would have diſcharged his truſt with Courage and Fidelity, and therefore probably with Succeſs: But he was of a haughty Spirit, and did not think his laſt Summers Service ſo well requited, that he was earnestly to ſollicit for another Office; though there is no doubt but he would have accepted it if it had been offer'd.

The Earl of Northumberland made General.

A General was appointed, the Earl of *Northumberland*; and the Lord *Conway* General of the Horſe: which made the great Officers of the former year, the Earl of *Arundel*, the Earl of *Eſſex*, and the Earl of *Holland* (who thought themſelves free from any Overſights that had been committed) more capable of Infuſions by thoſe who were ready to work according to the Occurrences upon their ſeveral conſtitutions. But the reputation of the Earl of *Northumberland*, who had indeed arrived at a wonderful general eſtimation, was believ'd to be moſt inſtrumental in it: and the Lord *Conway* was thought an able Soldier, and of great Parts. Beſides,

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the Earls of *Eſſex* and *Holland* were thought leſs governable by thoſe Councils to which the main was then to be intruſted, the Earl of *Strafford* bearing a part in them; to whom the firſt was very averſe, and the latter irreconcileable.

Diſpatches were ſent into *Ireland* to quicken the Preparations there, which the Earl had left in a great forwardneſs, under the care of the Earl of *Ormond* his Lieutenant General: Moneys iſſued out for the levies of Horſe and Foot there, and for the making a Train: all which were as well advanced, as, conſidering the general Diſcompoſure, could be reaſonably expected.

The Lord Conway General of the Horſe.

The King, the Earl of *Northumberland*, and the Earl of *Strafford*, thought they had well provided for the worſt in making the Lord *Conway* to be General of the Horſe: a man very dear to the two Earls; and indeed, by a very extraordinary fate, he had got a very particular intereſt and eſteem in many worthy Men of very different Qualifications. He had been born a Soldier in his Father's Garriſon of the *Brill*, when he was Governour there; and bred up, in ſeveral Commands, under the particular care of the Lord *Vere*, whoſe Nephew he was; and though he was married young, when his Father was Secretary of State, there was no Action of the *Engliſh* either at Sea or Land, in which he had not a conſiderable Command, and always preſerv'd a more than ordinary Reputation, in ſpight of ſome great Infirmities; which uſe to be a great allay to the credit of active men; for he was a voluptuous man in eating and drinking, and of great licence in all other exceſſes, and yet was very acceptable to the ſtricteſt, and the graveſt men of all Conditions. And which was ſtranger than all this, he had always (from his Pleaſure, to which his nature exceſſively inclined him, and from his Profeſſion, in which he was diligent enough) reſerv'd ſo much time for his Books and Study, that he was well verſed in all parts of Learning, at leaſt appear'd like ſuch a one in all occaſions, and in the beſt companies. He was of a very pleaſant and inoffenſive Converſation, which made him generally very acceptable: ſo that the Court being at that time full of Faction, very few loving one another, or thoſe who reſorted to any, who were not lov'd by them, he alone was even domeſtick with all, and not ſuſpected by either of the Lords or the Ladies factions.

The War was generally thought to be as well provided for, as, after the laſt years miſcarriage, it could be, by his being made General of the Horſe; and no man was more pleaſed with it, than the Arch-Biſhop of *Canterbury*, who had contracted an extraordinary opinion of this man, and took great delight in his company, he being well able to ſpeak in the affairs of the Church, and taking care to be thought by him a very zealous defender of it; when they who knew him better, knew he had no kind of ſenſe of Religion, and thought all was alike. He was ſent down with the firſt Troops of Horſe and Foot which were levied, to the Borders of *Scotland*, to attend the motion of the Enemy, and had a Strength ſufficient to ſtop them if they ſhould attempt to paſs the River, which was not fordable in above one or two places, there being good Garriſons in *Berwick* and *Carliſle*. And in this poſture he lay near *Newburn* in the out-skirts of *Northumberland*.

Whilſt theſe things were thus publickly acted, private agitations were not leſs vigorouſly intended. The Treaty and Pacification of the former year, had given an opportunity of forming Correſpondences, and contriving Deſigns, which before had been more clandeſtine; and the late meeting in Parliament had brought many together, who could not otherwiſe have met, and diſcover'd humours and affections, which could not elſe have been ſo eaſily communicated. The Court was full of Faction and Animoſity, each man more intending the ruin of his Adverſary, and ſatisfying his private Malice, than advancing his Maſter's Service, or complying with his publick Duty, and to that purpoſe directing all their endeavours, and forming all their intercourſe; whilſt every man unwiſely thought him whom he found an Enemy to his Enemies, a Friend to all his other affections; or rather by the narrowneſs of his underſtanding, and extent of his paſſion, contracted all his other affections to that one of Revenge.

And by this means thoſe Emiſſaries and Agents for the Confuſion which was to follow, were furniſh'd with opportunity and art to Intangle all thoſe (and God knows they were a great many) who were tranſported with thoſe vulgar and vile Conſiderations: cheap, ſenſeleſs Libels were ſcatter'd about the City, and fix'd upon Gates and publick remarkable places, traducing and vilifying thoſe who were in higheſt truſt and employment: Tumults were raiſed, and all licence both in actions and words taken; inſomuch as a Rabble of mean, unknown, diſſolute Perſons, to the number of ſome thouſands, attempted the Houſe of the Lord Arch-Biſhop of *Canter-*

A Tumult about Lambeth houſe.

Canterbury at *Lambeth*, with open profeſſion and Proteſtation, " that they would " tear him in Pieces; which (though one of that Rabble, a Sailor, was apprehended and executed in *Southwark*, upon an Indictment of High Treaſon) was ſo juſt a cauſe of Terrour, that the Arch-Biſhop by the King's command, lodged for ſome days and nights in *White-Hall*; which place likewiſe was not unthreatned in their ſeditious meetings and diſcourſes. This infamous, ſcandalous, headleſs Inſurrection, quaſh'd by the deſerv'd death of that one Varlet, was not thought to be contrived or fomented by any Perſons of Quality: yet it was diſcourſed after in the Houſe of Commons by Mr. *Strode* (one of thoſe *Ephori* who moſt avow'd the curbing and ſuppreſſing of Majeſty) with much pleaſure and content, and it was mention'd in the firſt draught of the firſt remonſtrance (when the ſame was brought in by Mr. *Pym*) not without a touch of Approbation, which was for that reaſon ſomewhat alter'd, though it ſtill carried nothing of cenſure upon it in that piece.

Things ſtanding thus both in Court and City, and the *Scots* preparing with great induſtry for Invaſion, and we, at leaſt, for a Defence, on a ſuddain the Lord *Lowden* (who before was ſaid to be committed for deſiring protection and aid from the *French* King, by a Letter under his hand) was diſcharged from his Impriſonment; without imparting that Reſolution to the Council; and after a few days admittance and kind reception at *White-Hall*, was diſmiſs'd into *Scotland*; his authority and power with that People being as conſiderable as any Man's, and his conduct as neceſſary for the enterprizes they had in hand. This Stratagem was never underſtood; and was then variouſly ſpoken of: many believing he had undertaken great matters for the King in *Scotland*, and to quiet that Diſtemper: others that it was an act entirely compaſs'd by the Marquis of *Hamilton*, who was like to ſtand in need of great Supporters, by that extraordinary obligation to endear himſelf with that Nation; or to communicate ſomewhat to that Nation, if his condition before were ſo good that it needed no indearment. They who publiſh'd their thoughts leaſt made no ſcruple of ſaying, " that if the policy were good and neceſſary of his firſt commit- " ment, it ſeem'd as juſt and prudent to have continu'd him in that reſtraint.

The progreſs in the King's advance for *Scotland*, was exceedingly hindred by the great and dangerous ſickneſs of the Earl of *Northumberland* the General, whoſe recovery was either totally deſpair'd of by the Phyſician or pronounced to be expected very ſlowly; ſo that there would be no poſſibility for him to perform the Service, of the North: whereupon he ſent to the King, to deſire that he would make choice of another General. And though the Lord *Conway* in all his Letters ſent Advertiſement, " that " the *Scots* had not advanced their Preparations to that degree that they would be " able to march that year, yet the King had much better Intelligence that they were in readineſs to move; and ſo concluded that it was neceſſary to ſend another General; and deſign'd the Earl of *Strafford* for that Command, and to leave the Forces in *Ireland*, which were raiſed to make a diverſion in *Scotland*, to be govern'd by the Earl of *Ormond* The Earl of *Strafford* was ſcarce recover'd from a great ſickneſs, yet was willing to undertake the charge, out of pure indignation to ſee how few men were forward to ſerve the King with that vigour of mind they ought to do; but knowing well the malicious deſigns which were contrived againſt himſelf, he would rather ſerve as Lieutenant General under the Earl of *Northumberland*, than that he ſhould reſign his Commiſſion: and ſo with and under that Qualification he made all poſſible haſt towards the North, before he had ſtrength enough for the journey.

The Lord Conway routed at Newburn.

But before he could arrive with the Army, that infamous irreparable Rout at *Newburn* was fall'n out; where the Enemy march'd at a time and place, when and where they were expected, through a River deep though fordable, and up a Hill, where our Army was ranged to receive them: through thoſe difficulties and diſadvantages, without giving or taking any Blows (for the five or ſix men of ours who were kill'd, fell by their Canon, before the paſſing of the River) they put out whole Army to the moſt ſhameful and confounding Flight that was ever heard of; our Foot making no leſs haſt from *Newcaſtle*, than our Horſe from *Newburn*; both leaving the Honour, and a great deal of the Wealth of the Kingdom, ariſing from the Coal-mines, to Thoſe who had not confidence enough (notwithſtanding the evidence they had ſeen of our fear) to poſſeſs that Town in two days after; not believing it poſſible that ſuch a place, which was able to have maintain'd the War alone ſome time, could be ſo kindly quitted to them. The Lord *Conway* never after turning his face towards the Enemy, or doing any thing like

like a Commander, though his Troops were quickly brought together again, without the loſs of a dozen men, and were ſo aſhamed of their flight, that they were very willing as well as able to have taken what revenge they would upon the Enemy, who were poſſeſs'd with all the fears imaginable, and would hardly believe their own ſucceſs, till they were aſſured that the Lord *Conway* with all his Army reſted quietly in *Durham*, and then they preſumed to enter into *Newcaſtle*.

The Scots Army enter Newcaſtle.

But it ſeem'd afterwards to be a full vindication of the Honour of the Nation, that, from this infamous Defeat at *Newburn*, to the laſt entire Conqueſt of *Scotland* by *Cromwell*, the *Scots* Army ſcarce perform'd one ſignal action againſt the *Engliſh*, but were always beaten by great inequality of numbers as oft as they encountred, if they were not ſupported by *Engliſh* Troops.

In this poſture the Earl of *Strafford* found the Army about *Durham*, bringing with him a body much broken with his late ſickneſs, which was not clearly ſhaken off, and a mind and temper confeſſing the dregs of it, which being marvellouſly provoked and inflamed with indignation at the late Diſhonour, render'd him leſs gracious, that is, leſs inclined to make himſelf ſo to the Officers, upon his firſt entrance into his charge; it may be, in that maſs of diſorder not quickly diſcerning to whom kindneſs and reſpect was juſtly due. But thoſe who by this time no doubt were retain'd for that purpoſe, took that opportunity to incenſe the Army againſt him; and ſo far prevail'd in it, that in a ſhort time it was more inflamed againſt Him than againſt the Enemy; and was willing to have their want of courage imputed to exceſs of Conſcience, and that their being not ſatisfied in the grounds of the Quarrel was the only cauſe that they fought no better. In this Indiſpoſition in all parts, the Earl found it neceſſary to retire with the Army to the skirts of *Yorkſhire*, and Himſelf to *York* (whither the King was come) leaving *Northumberland* and the Biſhoprick of *Durham* to be poſſeſs'd by the Victors, who being abundantly ſatisfied with what they never hoped to poſſeſs, made no haſt to advance their new Conqueſts.

The King's Army retreating towards York.

It was very much wonder'd at, that the Earl of *Strafford* upon his firſt arrival at the Army, call'd no perſons to a Council of War for that ſhameful buſineſs of *Newburn*, or the more ſhameful quitting of *Newcaſtle* (where were not ten barrels of Muſquet-Bullets, nor Moulds to make any; the Enemy having been long expected there, and our Army not leſs than a Month in that Town; time enough if nothing had been done before, to have made that place tenable for a longer time than it could have been diſtreſs'd). Whether the Earl ſaw that it would not have been in His power to have proceeded finally and exemplarily upon that inquiſition, and Therefore choſe rather not to enter upon it; or whether he found the Guilt to be ſo involv'd, that though ſome were more Obnoxious, few were Unfaulty; or whether he plainly diſcern'd to what the Whole tended, and ſo would not trouble himſelf further in diſcovering of that, which inſtead of a Reproach, might prove a Benefit to the perſons concern'd; I know not: but publick Examination it never had.

The *Scots* needed not now advance their Progreſs; their Game was in the hands (no prejudice to their skill) of better Gameſters. Beſides they were not to make the leaſt inroad, or do the leaſt treſpaſs to their Neighbours of *Yorkſhire*; who were as ſollicitous, that by any acceſs or concurrence of the ſtrength of that large County, they ſhould not be driven farther back; and therefore inſtead of drawing their Train'd Bands together (which of themſelves would have been a greater or better Army than was to contend with them) to defend their County, or the Perſon of the King then with them, they prepared Petitions of advice and good counſel to him to call a Parliament, and to remove all other Grievances but the *Scots*. At the ſame time ſome Lords from *London* (of known and ſince publiſh'd affections to that Invaſion) attended his Majeſty at *York* with a Petition, ſign'd by others, eight or ten in the whole, who were craftily perſwaded by the Leigers there, Mr. *Pym*, Mr. *Hambden*, and Mr. *Saint-John*, to concur in it, being full of duty and modeſty enough; without conſidering that nothing elſe at that time could have done miſchief; and ſo ſuffered themſelves to be made Inſtruments towards thoſe Ends which in truth they abhor'd.

In theſe diſtractions and diſcompoſures, between an Enemy proud and inſolent in ſucceſs, an Army corrupted, or at beſt diſheartned, a Country mutinous and inclined to the Rebels, at leaſt not inclined to reduce them, and a Court infected

fected with all three, the King could not but find himſelf in great ſtraits; beſides that his Treaſure, which had hitherto kept that which was beſt from being worſe, was quite ſpent. The raiſing and disbanding the firſt Army ſo unfortunately and wretchedly, had coſt full three hundred thouſand pounds, which the good husbandry of the Miniſters of the Revenue had treaſured up for an emergent occaſion: and the borrowing ſo much money for the raiſing and ſupplying this latter Army, had drawn aſſignments and anticipations upon the Revenue to that degree, that there was not left wherewithall to defray the neceſſary expence of the King's Houſhold. A Parliament would not be eaſily thought of, on this conſideration, that it could not come together ſpeedily enough to prevent that miſchief to which it ſhould be chiefly applied: for if we were not then in a condition to defend our ſelves, in forty days (the ſooneſt a Parliament could meet) an Army elate with victory, when no Town was fortified, or Paſs ſecured, might run over the Kingdom; eſpecially the People being every where ſo like to bid them welcome.

A great Council of the Peers ſummon'd to York.

A new Invention (not before heard of, that is, ſo old, that it had not been practiſed in ſome hundreds of years) was thought of, to call a great Council of all the Peers of *England* to meet and attend his Majeſty at *York*, that by their advice that great affair might be the more proſperouſly managed. Whether it was then conceiv'd, that the Honour of the King and Kingdom being ſo viſibly upon the Stage, thoſe Branches of Honour, which could not outlive the Root, would undoubtedly reſcue and preſerve it? or whether it was believ'd, that upon ſo extraordinary an occaſion the Peers would ſuffice to raiſe Money? as it was in that meeting propoſed by one of them, "that They might give Subſidies. Whether the advice was given by thoſe who had not the confidence in plain terms to propoſe a Parliament, but were confident That would produce one? or whether a Parliament was then reſolv'd on, and They call'd to be obliged by it, and ſo to be obliged to ſome ſober undertaking in it? or what other ground or intention there was of that Council, was never known: or whether indeed it was reſolv'd out of trouble and agony of afflicted thoughts, becauſe no other way occurr'd? But ſuch a Reſolution was taken, and Writs immediately iſſued under the Great Seal of *England* to all the Peers to attend his Majeſty at *York* within twenty days; and preparations were made in all places accordingly.

The ſtate of affairs at Court at that time.

Whilſt the Lords are on their way thither, it will not be amiſs to conſider the general ſtate of affairs in that time, and the Perſons to whom the managing the Publick Buſineſs was principally then, and for ſome time had been intruſted, that ſo upon view of the materials, we may be the better enabled to gueſs how thoſe dextrous workmen were like to employ themſelves. It hath been ſaid already, that upon the Diſſolution of the Parliament but four months before, the Lords of Council beſtirr'd themſelves in levying the Ship-money, and lending great ſums of money for the War.

The Convocation coutinued after the Parliament: makes Canons,

The Convocation-Houſe (the regular and legal aſſembling of the Clergy) cuſtomarily beginning and ending with Parliaments, was, after the determination of the laſt, by a new Writ continued, and ſat for the ſpace of above a month under the proper title of a Synod; made Canons, which was thought it might do; and gave Subſidies, out of Parliament, and enjoin'd Oaths, which certainly it might not do: in a word, did many things which in the beſt of times might have been queſtion'd, and therefore were ſure to be condemn'd in the worſt (what fewel it was to the fire that enſued, ſhall be mention'd in its place) and drew the ſame Prejudice upon the whole body of the Clergy, to which before only ſome few Clergy-men were expoſed.

The Papiſts activity and boldneſs about that time.

The Papiſts had for many years enjoy'd a great calm, being upon the matter abſolv'd from the Severeſt parts of the Law, and diſpenſed with for the Gentleſt; and were grown only a part of the Revenue, without any probable danger of being made a ſacrifice to the Law. They were look'd upon as good Subjects at Court, and as good Neighbours in the Country; all the reſtraints and reproaches of former times being forgotten. But they were not prudent managers of this Proſperity; being too elate and tranſported with the Protection and Connivance they receiv'd: though I am perſwaded their Numbers increaſed not, their Pomp and Boldneſs did, to that degree, that, as if they affected to be thought dangerous to the State, they appear'd more publickly, entertain'd, and urged Conferences more avowedly than had been before known: they reſorted at com-

mon

nion hours to Maſs to *Somerſet* Houſe, and return'd thence in great multitudes, with the ſame barefacedneſs as others came from the *Savoy* or other neighbour Churches: they attempted and ſometimes obtain'd Proſelytes of weak uninform'd Ladies, with ſuch circumſtances as provoked the Rage and deſtroy'd the Charity of great and powerful Families, which longed for their Suppreſſion: they grew not only ſecret Contrivers, but publick profeſs'd Promoters of, and Miniſters in, the moſt odious, and the moſt grievous Projects; as in that of Soap, formed, framed and executed, by almoſt a Corporation of that Religion; which under that licence and notion, might be, and were ſuſpected, to be qualified for other agitations. The Prieſts, and ſuch as were in Orders (Orders that in themſelves were puniſhable by Death) were departed from their former modeſty and fear, and were as willing to be known as to be hearkned to; inſomuch as a Jeſuit at *Paris* who was coming for *England*, had the boldneſs to viſit the Embaſſadour there, who knew him to be ſuch, and offering his ſervice acquainted him with his Journey, as if there had been no Laws there for his reception. And for the moſt invidious Protection and Countenance of that whole Party, a publick Agent from *Rome* (firſt Mr. *Con* a *Scottiſh*-man, and after him the Count of *Rozetti* an *Italian*) reſided at *London* in great Port; publickly viſited the Court; and was avowedly reſorted to by the Catholicks of all Conditions, over whom he aſſumed a particular Juriſdiction; and was careſs'd and preſented magnificently by the Ladies of Honour who inclined to that Profeſſion. They had likewiſe with more noiſe and vanity than Prudence would have admitted, made publick Collections of money to a conſiderable ſumm, upon ſome recommendations from the Queen, and to be by her Majeſty preſented as a free will Offering, from his Roman-Catholick Subjects to the King, for the carrying on the War againſt the *Scots*; which drew upon them the rage of that Nation, with little Devotion and Reverence to the Queen herſelf; as if She deſired to ſuppreſs the Proteſtant Religion in one Kingdom as well as the other by the Arms of the Roman-Catholicks. To conclude, they carried themſelves ſo, as if they had been ſuborn'd by the *Scots* to root out their own Religion.

The perſons then compoſing the committee of State.

The bulk and burthen of the State affairs whereby the envy attended them likewiſe, lay principally upon the Shoulders of the Lord Arch-Biſhop of *Canterbury*, the Earl of *Strafford*, and the Lord *Cottington*; ſome others being join'd to them, as the Earl of *Northumberland* for ornament, the Lord Biſhop of *London* for his place, being Lord high Treaſurer of *England*, the two Secretaries, Sir. *Henry Vane* and Sr. *Francis Windebank*, for ſervice and communication of Intelligence; only the Marquis of *Hamilton* indeed, by his skill and intereſt, bore as great a part as he had a mind to do, and had the skill to meddle no farther than he had a mind. Theſe Perſons made up the Committee of State (which was reproachfully after call'd *the Junto*, and enviouſly then in the Court *the Cabinet Council*) who were upon all occaſions, when the Secretaries receiv'd any extraordinary Intelligence, or were to make any extraordinary Diſpatch, or as often otherwiſe as was thought fit, to meet; whereas the Body of the Council obſerv'd ſet days and hours for Their meeting, and came not elſe together except ſpecially ſummon'd.

The Arch-Biſhop of Canterbury.

But, as I ſaid before, the Weight and the Envy of all great matters reſted upon the three firſt. The Arch-Biſhop, beſides the ſole diſpoſal of whatſoever concern'd the Church, which was an invidious province, having been from the Death of the Earl of *Portland* (at which time he was made Commiſſioner of the Treaſury) more engaged in the Civil Buſineſs, than I am perſwaded he deſired to be; and throughout the whole buſineſs paſſionately concern'd for the Church of *Scotland*, and ſo converſant in thoſe tranſactions: by all which means, beſides that he had uſually about him, an uncourtly quickneſs, if not ſharpneſs, and did not ſufficiently value what men ſaid or thought of him; a more than ordinary Prejudice, and Uncharitableneſs was contracted againſt him; to which the new Canons, and the Circumſtances in making them, made no ſmall addition.

The Earl of Strafford.

The Earl of *Strafford* had for the ſpace of almoſt ſix years intirely govern'd *Ireland*, where he had been compell'd, upon reaſon of State, to exerciſe many acts of power; and had indulged ſome to his own appetite and paſſion, as in the caſes of the Lord Chancellor, and the Lord *Mount-Norris*; the firſt of which was *ſatis pro imperio*, but the latter, if it had not concern'd a perſon notoriouſly unbelov'd, and ſo the more unpitied, would have been thought the moſt extravagant piece of Soveraignty, that in a time of Peace had been ever executed by any Subject. When and why he was call'd out of *Ireland* to aſſiſt in Council here, I have touch'd before.

He was a man of too high and ſevere a deportment, and too great a contemner of ceremony to have many Friends at Court, and therefore could not but have enemies enough: he had Two that profeſs'd it, the Earl of *Holland*, and Sr. *Henry Vane*; the firſt could never forget or forgive a ſharp ſuddain Saying of his (for I cannot call it council or advice) when there had been ſome difference a few years before between his Lordſhip and the Lord *Weſton*, in the managing whereof the Earl of *Holland* was confined to his Houſe, " that the King ſhould do well to cut off " his head: which had been aggravated (if ſuch an injury were capable of aggravation) by a ſucceſſion of Diſcountenances mutually perform'd between them to that time. Sr. *Henry Vane* had not far to look back to the time that the Earl had with great earneſtneſs oppoſed his being made Secretary, and prevail'd for above a months delay; which, though it was done with great reaſon and juſtice by the Earl, on the behalf of an old Fellow-ſervant, and his very good Friend Sr. *John Coke* (who was to be and afterwards was remov'd to let Him in); yet the juſtice to the One, leſſen'd not the ſenſe of unkindneſs to the Other: after which, or about the ſame time (which it may be made the other to be the more virulently remembred) being to be made Earl of *Strafford*, he would needs in that Patent have a new creation of a Barony, and was made Baron of *Raby*, a Houſe belonging to Sr. *Henry Vane*, and an honour he made account ſhould belong to himſelf; which was an act of the moſt unneceſſary provocation (though he contemn'd the man with marvellous ſcorn) that I have known, and I believe was the chief occaſion of the loſs of his head. To theſe a Third adverſary (like to be more pernicious than the other Two) was added, the Earl of *Eſſex*, naturally enough diſinclined to his Perſon, his Power, and his Parts, upon ſome rough carriage of the Earl of *Strafford*'s towards the late Earl of *Saint Albans*, to whom he had a friendſhip, and therefore openly profeſs'd to be revenged. Laſtly he had an Enemy more terrible than all the other, and like to be more fatal, the whole *Scottiſh* Nation, provoked by the Declaration he had procured of *Ireland*, and ſome high carriage and expreſſions of his againſt them in that Kingdom. So that he had reaſon to expect as hard meaſure from ſuch Popular Councils as he ſaw were like to be in requeſt, as all thoſe Diſadvantages could create towards him. And yet no doubt his confidence was ſo great in himſelf, and in the form of Juſtice (which he could not ſuſpect would be ſo totally confounded) that he never apprehended a greater cenſure, than a Sequeſtration from all Publick Employments, in which it is probable he had abundant ſatiety: and this confidence could not have proceeded (conſidering the full Knowledge he had of his Judges) but from a proportionable ſtock of, and ſatisfaction in, his own Innocence.

The Lord Cottington.

The Lord *Cottington*, though he was a very wiſe man, yet having ſpent the greateſt part of his life in *Spain*, and ſo having been always ſubject to the unpopular imputation of being of the *Spaniſh* Faction; indeed was better skill'd to make his Maſter great abroad, than gracious at home; and being Chancellor of the Exchequer from the time of the Diſſolution of the Parliament in the Fourth year, had his hand in many hard ſhifts for Money; and had the diſadvantage of being ſuſpected at leaſt a Favourer of the Papiſts (though that Religion thought it ſelf nothing beholding to him) by which he was in great umbrage with the People: and then though he were much leſs hated than either of the other two, and the leſs, becauſe there was nothing of kindneſs between the Arch-Biſhop and him; and indeed very few particulars of moment could be proved againſt him, yet there were two objections againſt him, which render'd him as odious as any to the great Reformers; the one, that he was not to be reconciled to or made uſe of in any of their deſigns; the other, that he had two good Offices, without the having of which their Reformation could not be perfect: for beſides being Chancellor of the Exchequer, he was likewiſe Maſter of the Wards, and had raiſed the Revenue of that Court to the King to be much greater than it had ever been before His adminiſtration; by which husbandry all the rich Families of *England*, of Noblemen and Gentlemen, were exceedingly incenſed, and even indevoted to the Crown, looking upon what the Law had intended for their Preſervation, to be now applied to their Deſtruction; and therefore reſolv'd to take the firſt opportunity to raviſh that Jewel out of the Royal Diadem, though it were faſten'd There by the known Law, upon as unqueſtionable a Right, as the Subject enjoy'd any thing that was moſt his own.

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The Marquis of *Hamilton*, if he had been then weigh'd in the Scales of the people's hatred, was at that time thought to be in greater danger than any one of the other; for he had more Enemies, and fewer Friends in Court or Country, than any of the other. His intereſt in the King's affection was at leaſt equal, and thought to be ſuperior, to any man's; and he had receiv'd as invidious inſtances, and marks of thoſe affections. He had more out-faced the Law in bold Projects and Preſſures upon the People, than any other man durſt have preſumed to do, as eſpecially in the projects of Wine and Iron; about the laſt of of which, and the moſt groſs, he had a ſharp conteſt with the Lord *Coventry* (who was a good Wreſtler too) and at laſt compell'd him to let it paſs the Seal: the entire profit of which always reverted to himſelf, and to ſuch as were his Penſioners. He had been the ſole manager of the buſineſs of *Scotland* till the Pacification: the readieſt man, though Then abſent, to adviſe that Pacification, and the moſt viſible Author of the breach of it. Laſtly the Diſcoveries between the Lord *Mackey* and *David Ramſay*, by which the Marquis was accuſed of deſigning to make himſelf King of *Scotland*, were freſh in many mens memories, and the late paſſages in that Kingdom had revived it in others; ſo that he might reaſonably have expected as ill a preſage for himſelf from thoſe Fortune-tellers, as the moſt Melancholick of the other: but as he had been always moſt careful and ſollicitous for himſelf, ſo he was moſt likely to be apprehenſive on his Own behalf, and to provide accordingly. *The Marquis of* Hamilton.

And here I cannot omit a Story which I receiv'd from a very good hand, by which his great ſubtility and induſtry for himſelf may appear, and was indeed as great a piece of Art (if it were Art) as I believe will be found amongſt the modern Politicians. After the calling the Council of the Peers at *York* was reſolv'd upon, and a little before the time of their appearance, the Marquis came to the King, and with ſome cloudineſs (which was not unnatural) and trouble in his countenance, he deſired his Majeſty to give him leave to Travel; the King ſurprized was equally troubled at it, and demanded his reaſon: he told him, "he well foreſaw a "Storm, in which his ſhipwrack, was moſt probable amongſt others; and that he, "never having any thing before his Eyes but his Majeſty's Service, or in his vows "but an entire ſimple obedience to His Commands, might happily by his Own un-"skilfulneſs in what was fit by any other rule, be more obnoxious than other men; "and therefore that with this Majeſty's leave, he would withdraw himſelf from the "hazard at leaſt of that Tempeſt. The King moſt graciouſly inclined to him; bid him "be moſt confident, that though he might (which he was reſolv'd to "do) gratify his People with any reaſonable indulgence, he would never fail his "good Servants in that protection which they had equal reaſon to expect from him. The Marquis with ſome quickneſs replied, "that the knowledge of that "gracious diſpoſition in his Majeſty, was the principal cauſe that he beſought "leave to be abſent; and that otherwiſe he would not ſo far deſert his own In-"nocence, which he was ſure could be only ſullied and diſcredited with Infirmities "and Indiſcretions, not tainted or defaced with Deſign and Malice. But (ſaid he) "I know your Majeſty's goodneſs will interpoſe for me to your own prejudice: "and I will rather run any fortune, from whence I may again return to ſerve you, "than be (as I foreſee I ſhould be) ſo immediate a cauſe of damage and miſchief to "ſo Royal a Maſter. He told him, "that he knew there was no leſs fatal arrows "aim'd at the Arch-Biſhop of *Canterbury* and the Earl of *Strafford* than at himſelf; "and that he had advertiſed the firſt, and adviſed the laſt, to take the ſame courſe "of withdrawing whereby He meant to ſecure himſelf: but (he ſaid) the Earl was "too great-hearted to Fear, and he doubted the other was too bold to Fly.

The King was much diſturb'd at the probability and reaſon of what was ſaid; which the other as ſoon obſerving, "There is (ſaid he) one way by which I might "ſecure my ſelf without leaving the Kingdom, and by which your Majeſty, as "theſe times are like to go, might receive ſome advantage; but it is ſo contrary to "my nature, and will be ſo ſcandalous to my honour in the opinion of men, that, "for my own part, I had rather run my fortune. His Majeſty glad that ſuch an expedient might be found (as being unwilling to hazard His ſafety againſt ſo much reaſon as had been ſpoken, by compelling him to ſtay; and as unwilling by ſuffering him to go, to confeſs an apprehenſion that he might be impoſed upon) impatiently ask'd "What that way was? The Marquis replied, "That he might "endear himſelf to the other Party by promiſing his Service to them, and ſeem-

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" ing to concur with them in Opinions and Deſigns; the which he had reaſon " to believe the principal Perſons would not be averſe to, in hope that his ſup- " poſed intereſt in his Majeſty's opinion might be look'd upon as of moment " to them for their particular Recommendations. But he ſaid, this he knew " would be look'd upon with ſo much Jealouſy by other men, and ſhortly " with that Reproach, that he might by degrees be leſſen'd even in his Majeſty's " own truſt; and therefore it was a province he had no mind to undertake: and ſo renew'd his Suit again very earneſtly for leave to travel.

The King, for the reaſons aforeſaid, much delighted with this Expedient, and believing likewiſe, that in truth he might by this means frequently receive Informations of great uſe, and having a ſingular eſteem of the Fidelity and Affection of the Marquis, told him poſitively, " That he ſhould not leave him; " that he was not only contented, but commanded him to Ingratiate himſelf " by any means with the other People; and aſſured him " that it ſhould not " be in any body's power to infuſe the leaſt jealouſy of him into his Royal " breaſt. The which reſolution his Majeſty obſerv'd ſo conſtantly, that the other enjoy'd the liberty of doing whatſoever he found neceſſary for his own behoof: and with wonderful craft and low condeſcenſions to the ends and the appetites of very inferior people, and by ſeaſonable inſinuations to ſeveral leading perſons (of how different inclinations ſoever) of ſuch particulars as were grateful to them, and ſeem'd to advance their diſtinct and even contrary Intereſts and Pretences, he grew to have no leſs credit in the Parliament than with the *Scotiſh* Commiſſioners; and was with great vigilence, induſtry, and dexterity, preſerv'd from any Publick Reproach in thoſe charges which ſerv'd to ruine other men, and which with more reaſon and juſtice might have been applied to Him than any other; and yet for a long time he did not incur the jealouſy of the King; to whom he likewiſe gave many advertiſements, which if there had been perſons enough who would have concurr'd in prevention, might have proved of great uſe.

The King declares to the great Council at York *his reſolutions to call a Parliament.*

In this ſtate and condition were Things and Perſons when the Lords came to *York* to the great Council in *September*; and the firſt day of their meeting (that the counſel might not ſeem to ariſe from them who were reſolv'd to give it, and that the Queen might receive the honour of it, who, the King ſaid, had by a Letter adviſed him to it; as his Majeſty exceedingly deſired to endear her to the People) the King declared to them, " that he was " reſolv'd to call a Parliament to aſſemble at *Weſtminſter* the third day of *November* following; which was ſo ſoon as was poſſible. So the firſt work was done to their hands, and they had now nothing to do but to diſpoſe matters in order againſt that time, which could not well be done without a more overt converſation with the *Scots*. For though there as an intercourſe made, yet it paſs'd for the moſt part through hands whom the chief had no mind to truſt: as the Lord *Savile*; whom his bitter hatred to the Earl of *Strafford*, and as paſſionate hope of the Preſidentſhip of the North which the Earl had, made applicable to any end; but otherwiſe a perſon of ſo ill a fame, that many deſired not to mingle in counſels with him. For beſides his no reputation, they begun now to know that he had long held correſpondance with the *Scots* before their coming in, and invited them to enter the Kingdom with an Army; in order to which, and to raiſe his own credit, he had counterfeited the hands of ſome other Lords, and put their names to ſome undertakings of joining with the *Scots*; and therefore they were reſolv'd to take that negotiation out of his hands (without drawing any prejudice upon him for his preſumption) which they had quickly an opportunity to do. For the firſt day of the Lords meeting, a Petition is preſented to his Majeſty full of dutiful and humble expreſſions from the *Scots*, who well knew their time, and had always (how rough and undutiful ſoever their Actions were) given the King as good and as ſubmiſſive Words as can be imagin'd. This Petition, full of as much Submiſſion as a Victory it ſelf could produce (as was urged by ſome Lords) could not but beget a Treaty, and a Treaty was reſolv'd on ſpeedily to be at *Rippon*, a place in the King's Quarters: but then, ſpecial care was taken, by caution given to his Majeſty, that no ſuch ungracious perſons might be intruſted by him in this Treaty as might beget Jealouſies in the *Scots*, and ſo render it fruitleſs: and therefore the Earls

The Scots *Petition to the King: upon it a Treaty appointed at* Rippon.

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of *Hartford*, *Bedford*, *Pembroke*, *Salisbury*, *Eſſex*, *Holland*, *Briſtol*, and *Berkſhire*, the Lords *Mandevile*, *Wharton*, *Dunſmore*, *Brook*, *Savile*, *Pawlet*, *Howard* of *Eſcrick* (the Lord *Say* being ſick, and ſo not preſent at *York*) were choſen by the King; all Popular men, and not one of them of much intereſt in the Court, but only the Earl of *Holland*, who was known to be fit for any counſel that ſhould be taken againſt the Earl of *Strafford*, who had among them ſcarce a Friend or perſon civilly inclined towards him.

The Commiſſioners meet and tranſact.

When theſe Commiſſioners from the King arrived at *Rippon*, there came others from the *Scots* Army of quality much inferior, there being not above two Noblemen, whereof the Lord *Lowden* was the chief, two or three Gentlemen and Citizens, and *Alexander Henderſon* their Metropolitan, and two or three other Clergy-men. The *Scots* applied themſelves moſt particularly to the Earls of *Bedford*, *Eſſex*, *Holland*, and the Lord *Mandevile*, though in publick they ſeem'd equally to careſs them all; and beſides the duty they profeſs'd to the King in the moſt ſubmiſſive expreſſions of reverence that could be uſed, they made great and voluminous expreſſions "of their affection to "the Kingdom and People of *England*; and remembred the infinite obliga- "tions they had from time to time receiv'd from this Nation; eſpecially "the aſſiſtance they had from it in their reformation of Religion, and their "attaining the light of the Goſpel; and therefore as it could never fall into "Their hearts to be ungrateful to it, ſo they hoped that the good People of "*England* would not entertain any ill opinion of their coming into this King- "dom at this time in a Hoſtile manner, as if they had the leaſt purpoſe of "doing wrong to any particular perſon, much leſs to alter any thing in the "Government of the Kingdom; proteſting that they had the ſame tenderneſs "of Their Laws and Liberties, and Priviledges, as of their Own; and that "they did hope, as the Oppreſſions upon their native Country, both in their "Civil and Spiritual Rights, had obliged them to This manner of Addreſs to the "King, to whom all acceſs had been denied them by the power of their Ene- "mies; ſo, that this very manner of their coming in might be for the good "of This Kingdom, and the benefit of the Subjects thereof, in the giving them "opportunities to vindicate their own Liberties and Laws; which. though not "Yet ſo much invaded as thoſe of *Scotland* had been, were enough infringed "by thoſe very men who had brought ſo great Miſery and Confuſion upon that "Kingdom; and who intended, when they had finiſh'd their work There, and "in *Ireland*, to eſtabliſh the ſame Slavery in *England* as they had brought upon "the other two Kingdoms. All which would be prevented by the Removal of "three or four Perſons from about the King; whoſe Own gracious diſpoſition "and inclination would bountifully provide for the Happineſs of all his Domi- "nions, if Thoſe ill men had no influence upon his Counſels.

There was not a man of all the *Engliſh* Commiſſioners to whom this kind of diſcourſe was not grateful enough, and who did not promiſe to Himſelf ſome convenience that the Alterations which were like to happen might produce. And with thoſe Lords with whom they deſired to enter into a greater confidence, they conferr'd more openly and particularly, of the three Perſons towards whom their greater prejudice was, the Arch-Biſhop, the Earl of *Strafford*, and the Marquis of *Hamilton* (for in their whole diſcourſes they ſeem'd equally at leaſt incenſed againſt him, as againſt either of the other two) whom they reſolv'd ſhould be remov'd from the King. They ſpake in confidence "of the exceſs of the Queen's "power which in reſpect of her Religion, and of the Perſons who had moſt "intereſt in her, ought not to prevail ſo much upon the King as it did in all "affairs. That the King could never be happy, nor his Kingdom flouriſh, till "he had ſuch Perſons about him in all Places of truſt, as were of Honour and "Experience in affairs, and of good Fortunes and Intereſts in the affections of the "People; who would always inform his Majeſty that his own greatneſs and happineſs "conſiſted in the execution of Juſtice, and the happineſs of his Subjects; and "who are known to be zealous for the preſervation and advancement of the Pro- "teſtant Religion, which every honeſt man thought at preſent to be in great "danger, by the exorbitant power of the Arch-Biſhop of *Canterbury*, and ſome "Biſhops who were governed by him. It was no hard matter to inſinuate into

the Perſons with whom they held this diſcourſe, that They were the very men who they wiſh'd ſhould be in moſt credit about the King; and they concluded that their affections were ſo great to this Kingdom, and they ſo deſired that all Grievances might be redreſs'd here, that though they ſhould receive preſent Satisfaction in all that concern'd Themſelves, they would not yet return, till proviſion might likewiſe be made for the juſt intereſt of *England*, and the reformation of what was amiſs There in reference to Church and State.

This appear'd ſo hopeful a Model to moſt of the King's Commiſſioners (who having no method preſcribed to them to treat in, were indeed ſent only to hear what the *Scots* would propoſe, the King himſelf then intending to determine what ſhould be granted to them) they never conſider'd the Truth of any of their allegations, nor deſired to be inform'd of the Ground of their proceedings; but patiently hearkned to all they ſaid in publick, of which they intended to give an account to the King; and willingly heard all they ſaid in private, and made ſuch uſe of it as they thought moſt conduced to their Own ends. The *Scottiſh* Commiſſioners propoſed, "that for the avoiding the effuſion of "Chriſtian blood, there might be ſome way found to prevent all acts of Hoſti-"lity on either ſide; which could not poſſibly be done, except ſome order was "given for the payment of Their Army, which was yet reſtrain'd to cloſe and "and narrow Quarters. And the truth is, they were in daily fear that thoſe Quarters would have been beaten up, and ſo the ill courage of their men too eaſily diſcover'd, who were more taught to ſing Pſalms, and to Pray, than to uſe their Arms; their hopes of prevailing being from the beginning founded upon an aſſurance that they ſhould not be put to Fight.

There had been in that infamous rout at *Newburn* two or three Officers of Quality taken Priſoners, who endeavouring to charge the Enemy with the courage they ought to do, being deſerted by their Troops could not avoid falling into the *Scots* hands; two of which were *Wilmot* who was Commiſſary-General of the Horſe, and *O Neal* who was Major of a Regiment; both Officers of name and reputation, and of good eſteem in the Court with all Thoſe who were incenſed againſt the Earl of *Strafford*, towards whom they were both very indevoted. Theſe Gentlemen were well known to ſeveral of the principal Commanders in the *Scots* Army (who had ſerv'd together with them in *Holland* under the Prince of *Orange*) and were treated with great civility in their Camp; and when the Commiſſioners came to *Rippon*, they brought them with them, and preſented them to the King by his Commiſſioners, to whom they were very acceptable; and did thoſe who deliver'd them more Service by the Reports they made of them in the Army when they return'd to their Charges, and in the Court, than they could have done by remaining Priſoners with them; and contributed very much to the irreconciling the Army to the Earl of *Strafford* who was to command it.

After few days the Commiſſioners return'd to the King at *York*, and gave him an account of what had paſs'd, and of the extraordinary affection of the *Scots* to his Majeſty's Service: and *Wilmot* and *O Neal* magnified the good diſcipline and order obſerv'd in the Army, and made their numbers to be believ'd much ſuperior to what in truth they were.

The Counſellors about the King at York.

Three of the Commiſſioners, and no more, were of the King's Council, the Earls of *Pembroke*, *Salisbury*, and *Holland*, who were all inſpired by the *Scots*, and liked well all that they pretended to deſire. Beſides thoſe, the King had no body to conſult with but the Lord Keeper *Finch*, the Duke of *Richmond*, the Marquis of *Hamilton*, the Earl of *Strafford*, and Sr. *Harry Vane* principal Secretary of State. The firſt of which, the Lord Keeper, was obnoxious to ſo many reproaches, that though his affection and fidelity was very entire to the King, all his care was to provoke no more Enemies, and to ingratiate himſelf to as many of thoſe as he perceiv'd were able to Protect him, which he knew the King would not be able to do; and towards this he labour'd with all induſtry and dexterity. The Duke of *Richmond* was young, and uſed to diſcourſe with his Majeſty in his Bed-chamber rather than at the Council-Board, and a man of Honour and Fidelity in all places; and in no degree of confidence with his Country-men, becauſe he would not admit himſelf into any of their Intrigues. The Marquis had leave to be wary, and would give his Enemies no new advantages.

No:

Nor indeed was there any man's advice of much credit with the King, but that of the Earl of *Strafford*; who had no reaſon to declare his opinion upon ſo nice a ſubject in the preſence of the Earl of *Holland* and Sr. *Harry Vane*; and thought there was only one way to be purſued (which was not to be communicated at the Council) and that was to drive the *Scots* out of the Kingdom by the Army: and without conſidering what was done at the Treaty (which had not yet agreed upon any Ceſſation) he ſent a good Party of Horſe commanded by Major *Smith* to fall upon a *Scottiſh* Quarter in the Biſhoprick of *Durham*, who defeated two or three of their Troops and took all their Officers Priſoners, and made it manifeſt enough that the Kingdom might be rid of the reſt, if it were vigourouſly purſued; which the Earl of *Strafford* heartily intended. But *Leſly* the *Scottiſh* General complain'd "that He himſelf had forborn to make any ſuch at-"tempt out of reſpect to the Treaty; and the *Engliſh* Commiſſioners thought Themſelves neglected, and affronted by it. And when it was found that the Officer who conducted that enterprize was a Roman-Catholick, it made more noiſe; and they prevail'd with the King to reſtrain his General from giving out any more ſuch Orders.

The King begun ſo far to diſlike the temper of his Commiſſioners that he thought the Parliament would be more jealous of his Honour, and more ſenſible of the Indignities he ſuffer'd by the *Scots*, than the Commiſſioners appear'd to be; and therefore he ſent them back to *Rippon* again to renew the Treaty, and to conclude a Ceſſation of Arms upon as good terms as they could; ſo that the *Scots* Army might not advance into *Yorkſhire*, nor enlarge their Quarters any way beyond what they were already poſſeſs'd of: and this conceſſion being agreed to, they ſhould not enter upon any other particulars, but adjourn the Treaty to *London*; which was the only thing the *Scots* deſired, and without This they could never have brought their deſigns to paſs. When the other Lords return'd to *Rippon*, the Earl of *Pembroke* (as a man of a great Fortune, and at that time very Popular) was ſent with two or three other Lords to *London*, with a Letter from the King, and a ſubſcription from the Lords Commiſſioners of the Treaty (which was then more powerful) to borrow two hundred thouſand pounds from the City, for the payment of both Armies whilſt the Ceſſation and Treaty ſhould continue; "which they hoped would quickly be at an end, and "the *Scots* return into their own Country. The City was eaſily perſwaded to furniſh the money, to be repaid out of the firſt that ſhould be raiſed by the Parliament; which was very ſhortly to meet.

A Ceſſation agreed on.

The Commiſſioners at *Rippon* quickly agreed upon the Ceſſation; and were not unwilling to have allow'd fifty thouſand pounds a month for the ſupport of the *Scots* Army, when they did aſſign but thirty thouſand pounds a month for the payment of the King's; and to have taken the *Scottiſh* Commiſſioners words for their Muſters, which made their numbers ſo much ſuperior to the other: but that ſum of fifty thouſand pounds a month was afterwards reduced to about five and twenty thouſand; and the whole amounting to above fifty thouſand pounds a month was a ſum too great for the Kingdom to pay long, as was then generally believ'd. It was pretended that two months would put an end to the Treaty; ſo that the two hundred thouſand pounds which the City had ſupplied would diſcharge all the Disbanding: and in this hope the King confirm'd the Ceſſation, and ſent a ſafe Conduct for ſuch Commiſſioners as the *Scots* ſhould think fit to ſend to *London* for the carrying on the Treaty.

The Treaty adjourn'd to London, whither the King returns.

All which being done, the King and the Lords left *York*, that they might be at *London* before the beginning of the Parliament; the Earl of *Strafford* ſtaying ſtill in the North to put the Army into as good a poſture as he could, and to ſuppreſs the Mutinous ſpirit it was inclined to; and if it were poſſible, to diſpoſe that great County (of which he had the entire command) to a better temper towards the King's Service, and to a greater indignation towards the *Scots*, of whom they did not uſe to have too charitable an opinion. But in both theſe applications he underwent great mortifications; the Officers of the Army every day asking his leave to repair to *London*, being choſen to ſerve in Parliament; and when he denied to give them Paſſes, they went away without them: and the Gentlemen of the Country who had moſt depended upon him, and been obliged by him, withdrawing their application and attendance, and entring into combination with his greateſt Enemies againſt him.

It

It is not to be denied, the King was in very great Straits, and had it not in his power abſolutely to chuſe which way he would go; and well foreſaw, that a Parliament in that conjuncture of Affairs would not apply natural and proper Remedies to the Diſeaſe: for though it was not imaginable it would run the courſes it afterwards did, yet it was viſible enough he muſt reſign very much to their affections and appetite (which were not like to be contain'd within any modeſt bounds) and therefore no queſtion his Majeſty did not think of calling a Parliament at firſt, but was wrought to it by degrees: Yet the great Council could not but produce the other; where the unskilfulneſs and paſſion of ſome for want of diſcerning Conſequences, and a general ſharpneſs and animoſity againſt Perſons, did more miſchief than the power or malice of Thoſe who had a form'd deſign of Confuſion: for without doubt that fire at that time (which did ſhortly after burn the whole Kingdom) might have been cover'd under a buſhel. So as in truth there was no counſel ſo neceſſary then, as for the King to have continued in his Army, and to have drawn none thither but ſuch as were more afraid of diſhonour than da ger; and to have truſted the juſtice and power of the Law with ſupreſſing of Tumults, and quieting Diſorders in his rear.

It is ſtrange, and had ſomewhat of a Judgment from Heaven in it, that all the induſtry and learning of the late years had been beſtow'd in finding out and evincing, that in caſe of Neceſſity any extraordinary way for Supply was Lawful; and upon that ground had proceeded when there was No neceſſity; and now when the neceſſity was apparent, Money muſt be levied in the ordinary courſe of Parliament, which was then more extraordinary than the other had been; as *York* muſt be defended from an Enemy within twenty five miles of it, by Money to be given at *London* ſix Weeks after, and to be gather'd within ſix Months. It had been only the ſeaſon and evidence of Neceſſity that had been queſtion'd; and the view of it in a Perſpective of State at a diſtance that no eyes could reach, denied to be ground enough for an Impoſition: as no man could pull down his neighbour's houſe becauſe it ſtood next Furſe, or Thatch, or ſome combuſtible matter which might take fire; though he might do it when that combuſtible matter was really a'fire. But it was never denied that *flagrante bello*, when an Enemy had actually invaded the Kingdom, and ſo the Neceſſity both ſeen and felt, all mens goods are the goods of the Publick, to be applied to the Publick ſafety, and as carefully to be repair'd by the Publick ſtock. And it is very probable (ſince the Factions within, and the Correſpondence abroad was ſo apparent, that a Parliament then call'd would do the buſineſs of the *Scots*, and of Thoſe who invited them hither) that if the King had poſitively declared, that he would have no Parliament as long as that Army ſtaid in *England*, but as ſoon as they were retired into their own Country he would ſummon one, and refer all matters to Their advice, and even be adviſed by Them in the compoſing the diſtractions of *Scotland*: I ſay, it is probable, that they would either willingly have left the Kingdom, or ſpeedily have been compell'd; there being at that time an Army in *Ireland* (as was ſaid before) ready to have viſited *Scotland*.

Neither would the indiſpoſition of the King's Army (which was begot only by thoſe Infuſions, that there muſt of neceſſity be a Parliament, which would prevent farther Fighting) have laſted, when they found thoſe Authors confuted; for the Army was conſtituted of good Officers, which were more capable of being deceiv'd by their Friends, than impoſed upon by their Enemies; and they had their Soldiers in good devotion, and the buſineſs at *Newburn* would rather have ſpurr'd them on than reſtrain'd them. And it had been much the beſt courſe that could have been taken, if after the fright at *Newburn* the King as well as the Earl of *Strafford* had made haſt to *Durham* and kept that Poſt, without ſtaying at *York*; and after ſome exemplary Juſtice and Diſgrace upon the chief Officers who were Faulty, till the Army had recover'd their Spirits (which in a very ſhort time it did with ſhame and indignation enough) had march'd directly againſt the *Scots*; by which they would have ſpeedily diſpoſſeſs'd them of their new Conqueſt, and forced them to have run diſtracted into their own Country; as may be reaſonably concluded from their behaviour whenever they were aſſaulted afterwards by the *Engliſh*.

And it is as ſtrange that the experience of the laſt Summer, when the attendance of ſo great a number of the Nobility (who had no mind to the War, and as little devotion to the Court) was the true ground and cauſe of that ridiculous Pacification, did not prevail with the King never to convene the ſame company to him

him again; which could do him very little good if they had desired it; and could not but do him more harm than even the worst of them at that time intended to do: For it might very easily have been foreseen, that the calling so many discontented, or disobliged, or disaffected men together, with a liberty to consult and advise, very few whereof had that inclination and reverence for the Person of the King they ought to have had, though scarce any of them had at that time that mischief in their hearts which they afterwards discover'd against him; or indeed had the least purpose to Rebel: I say the calling such men together, could not but make men much worse than they came, and put worse thoughts into their heads than they brought with them, when the Miscarriage as well as the Misfortune of the Court would be the common argument and discourse; and when they would quickly discern, that it was like to be in every one of Their powers to contribute to the Destruction, at least to the Disgrace, of Men they had no kindness for, and most of them great animosity against.

But the King was without the presence and attendance of any man in whose judgement and wisdom he had a full confidence; for the Earl of *Strafford* was at the Army; and they who first proposed the calling of the Peers, knew well enough that the King knew Parliaments too well to be inclined to call one if they should propose it; and therefore They proposed another expedient, which he knew not; and so was surprized with the advice (which he thought could do no harm) and gave direction for the issuing out of the Writs, before he enough consider'd whether it might not intruth produce some mischief he had not well thought of; as he quickly found. Nor did the *Scots* themselves resolve to give him more disquiet in the ensuing Parliament, than the major part of his great Council that he brought together resolv'd to concur with them in: and with that disposition, which they could never have contracted if they had remain'd by themselves, they all hasten'd to the place where they might do the Mischief they intended.

The next Error to this was, that at the meeting of the great Council at *York*, and before any consent to the Treaty at *Rippon*, there was not a state made and information given of the whole Proceedings in *Scotland*, and thereupon some debate and judgement by the whole Council before the Sixteen departed. for their information and instruction: and this had been strangely omitted before at the Pacification; insomuch as many who had been employ'd in that first at *the Berkes*, and in the last at *Rippon*, confess'd that none of them (and they were of the Prime Quality) then did, or ever after, know any thing of the Laws and Customs of that Kingdom (by which they might have judged whether the King had exceeded his just power, or any thing of the matter of fact in the several transactions) but what they had receiv'd at those meetings from the persons who were naturally to make their own defence, and so by accusing others to make their own case the more plausible; in which it could not be expected they would mention any thing to their own disadvantage.

By Them they were told "of a Liturgy imposed upon them by their Bi-"shops, contrary to, or without Act of Parliament, with strange circumstances "of Severity and Rigour: of some clauses in that Liturgy, different from that "of the Church of *England*, with pretty smart comments of advice, and animadversions upon those Alterations: "of a Book of Canons, in which an extraordi-"nary and extravagant power was asserted to the Bishops: of a High Com-"mission Court, which exceeded all limits, and censured all degrees of men: "of the insolent Speeches of this Bishop to that Nobleman, and of the Ill Life "of another: of their Own great Humility and Duty to their sacred Sovereign, "without whose Favour and Protection they would not live: and lastly "of "their several most submiss Addresses, by Petition and all other ways to his "Majesty; being desirous, when their Grievances were but heard, to lay Them-"selves and their Complainrs at his Royal Feet, and to be most entirely disposed "by him in such manner, as to His wisdom alone should be thought fit: But "that by the power and interposition of their Adversaries, all their Supplica-"tions had been rejected, and They never yet admitted to be heard.

With these and the like Artifices the good Lords were so wrought upon, and transported, that they easily Consented to whatsoever was proposed; nor was there any Proposition made and insisted on by them at the first and second Treaty, which was not for the matter fully Consented to: whereas, if their

Lordſhips had been fully advertiſed of the whole truth (though there had been ſome Inadvertencies and Incogitancy in the circumſtances of the tranſaction) his Majeſty had full power by the Laws of *Scotland* then in force to make that Reformation he intended. All their Petitions and Addreſſes had found moſt gracious acceptance, and receiv'd moſt gracious anſwers. But on the contrary, They had invaded all the Rights of the Crown, alter'd the Government, affronted the Magiſtrates and Miniſters of Juſtice, and his Majeſty's own Regal Authority, with unheard of Inſolences and Contempts; rejected all his offers of Grace and Pardon, and without cauſe or provocation denounced War againſt him; beſieged and taken the Caſtle of *Edenborough*, and other Places which held for his Majeſty. I ſay, if This had been made as evident to them as ſurely it might have been made, it is not poſſible but thoſe Noble perſons would have preſerv'd themſelves from being deluded by them; at leaſt many of the Inconveniences which after enſued would have been prevented, if the form and method of their Proceedings had been preſcribed or better look'd into.

But it muſt be confeſs'd that in that conjuncture ſuch neceſſary Evidence and Information could very hardly be given : for though it muſt not be doubted that there were many particular Perſons of Honour of that Nation who abhor'd the Outrages which were committed, and retain'd within their own breaſts very Loyal wiſhes for his Majeſty's Proſperity; yet it cannot be denied that thoſe perſons, who by the Places they held (of King's Advocate, and other Offices) ought to have made that Information of matter of Law, and matter of Fact, were Themſelves the moſt active Promoters of the Rebellion; and the Defection was ſo general, and ſo few declared, or were active on his Majeſty's behalf, that they who were not corrupted in their inward Fidelity were ſo Terrified, that they durſt not appear in any Office that might provoke Thoſe who ſolely had the power and the will to deſtroy them.

The laſt and moſt confounding Error was the removing the Treaty to *London*, and upon any terms conſenting that the *Scottiſh* Commiſſioners ſhould reſide there before a Peace concluded. By which means they had not only opportunity to publiſh all their Counſels and Directions in their Sermons to the People (who reſorted thither in incredible numbers) and to give their Advice from time to time to Thoſe of the *Engliſh* who knew not ſo well yet to compaſs their Own ends, but were ready (when any buſineſs was too big and unweildy to be managed by the few who were yet throughly engaged) to interpoſe in the name of Their Nation, and with reference to Things or Perſons to make ſuch demands from and on the behalf of the Kingdom of *Scotland*, as under no other ſtyle would have receiv'd any countenance : and this brought that univerſal Terror with it (as will appear to the life in the proceſs of this Hiſtory) upon Thoſe of neareſt relation to the King's Service, as well as Thoſe at a greater diſtance, who clearly diſcern'd and deteſted the Villany and Wickedneſs of thoſe tranſactions, that their warineſs and wiſdom could not be great enough to preſerve them, if they did not ſtupidly look on without ſeeming to underſtand what they could in no degree controul or prevent.

In all Conſpiracies there muſt be great ſecrecy, conſent, and union; yet it can hardly be conceiv'd with what entire Confidence in each other, the numerous and not very rich Nobility of *Scotland* (for of the Common People, who are naturally very dependent on the other, there can be no wonder) concurr'd in the carrying on this Rebellion : their ſtrange Condeſcenſion and Submiſſion to their ignorant and inſolent Clergy, who were to have great Authority becauſe they were to inflame all ſorts of men upon the obligations of Conſcience; and in order thereunto, and to revenge a little Indiſcretion and Ill Manners of ſome of the Biſhops, had liberty to erect a Tribunal the moſt Tyrannical over all ſorts of men, and in all the Families of the Kingdom : ſo that the Preacher reprehended the Husband, govern'd the Wife, chaſtiſed the Children, and inſulted over the Servants, in the Houſes of the Greateſt men. They refer'd the management and conduct of the whole Affair to a Committee of a few, who had never before exerciſed any Office or Authority in the Publick, with that perfect reſignation and obedience, that no body preſumed to enquire What was to be done, or to murmur at or cenſure any thing that Was done; and the General himſelf, and the Martial affairs, were ſubject to this *Regimen* and Diſcipline as well as the Civil : yet They who were intruſted with this Superiority, paid all the Outward reſpect

reſpect and reverence to the perſon of the General, as if all the power and diſpoſal had been in Him alone.

The few *Engliſh* (for there were yet but very few who were entruſted from the Beginning of the Enterprize; and with all that was then projected) were men of reſerv'd and dark natures, of great induſtry and addreſs, and of much reputation for probity and integrity of life, and who truſted none, but thoſe who were contented to be truſted to that degree as they were willing to truſt them, without being inquiſitive into more than they were ready to communicate, and for the reſt depended upon their diſcretion and judgement; and ſo prepared and diſpoſed, by ſecond and third hands, many to concur and contribute to ſeveral preparatory actions, who would never have conſented to the concluſions which naturally reſulted from thoſe premiſes.

This united ſtrength, and humble and active temper, was not encounter'd by an equal providence and circumſpection in the King's Councils, or an equal temper and dutiful diſpoſition in the Court; nor did they who reſolv'd honeſtly and ſtoutly to diſcharge the offices of good Servants and good Subjects to the utmoſt oppoſition of all unlawful attempts, communicate their purpoſes to men of the ſame Integrity, that ſo they might unite their councils as well in the manner and way, as their reſolutions in the end. But every one thought it enough to preſerve his Own innocence, and to leave the reſt to thoſe who ſhould have authority to direct. The King was perplex'd and irreſolute, and according to his natural conſtitution (which never diſpoſed him to jealouſy of any man of whom he had once thought well) was full of hope, that his condition was not ſo bad as it ſeem'd to be. The Queen wiſh'd much better to the Earl of *Holland*, than to the Arch-Biſhop or the Earl of *Strafford*, neither of Them being in any degree acceptable to her; ſo that ſhe was little concerned for the danger that threatned them: but when ſhe ſaw the King's Honour and Dignity invaded in the proſecution, ſhe withdrew her favour from the Earl of *Holland*: but then ſhe was perſwaded, by thoſe who had moſt credit with her, to believe, that by the removal of the great Miniſters, Her power and authority would be encreaſed, and that the prevailing Party would be willing to depend upon her; and that by gratifying the principal Perſons of them with ſuch Preferments as they affected, ſhe would quickly reconcile all ill humours: and ſo ſhe hearkned to any overtures of that kind; which were always carried on without the conſent or privity of thoſe who were concern'd, who in truth more diſliked Her abſolute power with the King, than any other Exceſs of the Court, and look'd upon it as the greateſt Grievance. Every man there conſider'd only what application would be moſt like to raiſe his Own fortune, or to do Thoſe harm with whom he was angry, and gave himſelf wholly up to thoſe Artifices which might promote either. To preſerve themſelves from the diſpleaſure and cenſure of the Parliament, and to render themſelves gracious to Thoſe who were like to be powerful in it, was all mens buſineſs and ſollicitude. And in this very unequal and diſproportion'd condition and temper, was the King's and the *Scottiſh* Army, the Court and the Country, when the Parliament met.

THE END OF THE SECOND BOOK.

THE

THE
History of the Rebellion, &c.
BOOK III.

Deut. xii. 30.

Take heed to thy Self, that thou be not ſnared by following them, and that thou enquire not after their Gods, ſaying, How did theſe Nations ſerve their Gods? even So will I do likewiſe:

Judg. ii. 3.

----- But they ſhall be as Thorns in your Sides, and their Gods ſhall be a Snare unto you.

The Parliament met November *the Third* 1640.

THE Parliament met upon the Third of *November*, 1640, with a fuller appearance than could be reaſonably expected, from the ſhort time for Elections after the iſſuing out the Writs; inſomuch as at the firſt not many Members were abſent. It had a ſad and a melancholick aſpect upon the firſt entrance, which preſaged ſome unuſual and unnatural events. The King himſelf did not ride with his accuſtom'd Equipage nor in his uſual majeſty to *Weſtminſter*, but went privately in his Barge to the Parliament Stairs, and after to the Church, as if it had been to a return of a prorogued or adjourn'd Parliament. And there was likewiſe an untoward and intruth an unheard of accident, which broke many of the King's meaſures, and infinitely diſorder'd his Service beyond a capacity of reparation. From the time the calling a Parliament was reſolv'd upon, the King deſign'd Sr. *Thomas Gardiner* who was Recorder of *London* to be Speaker in the Houſe of Commons; a man of gravity and quickneſs, that had ſomewhat of authority and gracefulneſs in his perſon and preſence, and in all reſpects equal to the Service. There was little doubt but that he would be choſen to ſerve in one of the four places for the City of *London*, which had very rarely rejected their Recorder upon that occaſion; and leaſt that ſhould fail, diligence was uſed in one or two other places that he might be elected. The oppoſition was ſo great, and the Faction ſo ſtrong, to hinder his being elected in the City, that four others were choſen for that Service, without hardly mentioning his name: nor was there leſs induſtry uſed to prevent his being choſen in other places; Clerks were corrupted not to make out the Writ for one place, and ways were found out to hinder the Writ from being executed in another, time enough for the return before the meeting: ſo great a fear there was, that a man of entire affections to the King, and of prudence enough to manage thoſe affections, and to regulate the contrary, ſhould be put into the Chair. So that the very morning the Parliament was to meet, and when the King intended to go thither, he was inform'd that Sr. *Thomas Gardiner* was not return'd to ſerve as a Member in the Houſe of Commons, and ſo was not capable of being

ing chosen to be Speaker; so that his Majesty deferr'd his going to the House till the afternoon, by which time he was to think of another Speaker.

Upon the perusal of all the Returns into the Crown Office, there were not found many Lawyers of eminent Name (though many of them proved very Eminent men afterwards) or who had serv'd long in former Parliaments, the experience whereof was to be wish'd; and men of that Profession had been most commonly thought the most proper for that Service, and the putting it out of that Channel at that time was thought too hazardous: so that, after all the deliberation the shortness of that time would admit, Mr. *Lenthall*, a Bencher of *Lincolns*-Inn (a Lawyer of competent practice, and no ill reputation for his affection to the Government both of Church and State) was pitch'd upon by the King, and with very great difficulty rather prevail'd with than perswaded to accept the charge. And no doubt a Worse could not have been deputed of all that Profession who were then return'd; for he was a man of a very narrow, timerous nature, and of no experience or conversation in the affairs of the Kingdom, beyond what the very drudgery in his Profession (in which all his design was to make himself rich) engaged him in. In a word he was in all respects very unequal to the Work, and not knowing how to preserve his Own dignity, or to restrain the licence and exorbitance of Others, his Weakness contributed as much to the growing Mischiefs, as the Malice of the principal contrivers. However after the King had that afternoon recommended the distracted condition of the Kingdom (with too little Majesty) to the wisdom of the two Houses of Parliament, to have such reformation and remedies applied as They should think fit, proposing to them as the best rule for their Counsels, "that all things "should be reduced to the practice of the time of Queen *Elizabeth*; the House of Commons no sooner return'd to their House, than they chose Mr *Lenthall* to be their Speaker; and two days after with the usual ceremonies and circumstances presented him to the King, who declared his acceptation; and so both Houses were ready for the Work.

Mr. Lenthall *made Speaker.*

There was observ'd a marvellous elated countenance in many of the Members of Parliament before they met together in the House; the same men who six months before were observ'd to be of very moderate tempers, and to wish that gentle remedies might be applied, without opening the wound too wide and exposing it to the air, and rather to cure what was amiss than too strictly to make inquisition into the causes and original of the malady, talk'd Now in another dialect both of Things and Persons; and said "that they must now "be of another temper than they were the last Parliament, that they must "not only sweep the House clean below, but must pull down all the Cobwebs "which hung in the top and corners, that they might not breed dust, and so "make a foul House hereafter; That they had now an opportunity to make "their Country happy, by removing all Grievances, and pulling up the Causes "of them by the Roots, if all men would do their duties; and used much other sharp discourse to the same purpose: by which it was discern'd, that the warmest and boldest counsels and overtures, would find a much better reception than those of a more temperate allay; which fell out accordingly: and the very first day they met together, in which they could enter upon business, Mr. *Pym*, in a long, form'd discourse, lamented the miserable state and condition of the Kingdom, aggravated all the particulars which had been done amiss in the government, as "done and contrived maliciously, and upon deli- "beration to change the whole Frame, and to deprive the Nation of all the "Liberty and Property which was their Birthright by the Laws of the Land, "which were now no more consider'd, but subjected to the arbitrary power of "the Privy-Council, which govern'd the Kingdom according to Their will "and pleasure; these Calamities falling upon us in the reign of a pious and "virtuous King, who lov'd his People, and was a great lover of Justice. And thereupon enlarging in some specious commendation of the nature and goodness of the King, that he might wound him with less suspicion, he said, "We must "enquire from what Fountain these Waters of bitterness flow'd; what per- "sons They were who had so far insinuated themselves into his Royal af- "fections, as to be able to pervert his excellent Judgement, to abuse his Name, "and wickedly apply His authority to countenance and support their Own cor-

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The Earl is committed to the Black-rod.

When this Work was so prosperously over, they begun to consider, that notwithstanding all the Industry that had been used to procure such Members to be chosen, or return'd though not chosen, who had been most refractory to the Government of the Church and State; yet that the House was so constituted, that when the first heat (which almost all men brought with them) should be a little allay'd, violent counsels would not be long hearkned to: and therefore as they took great care by the Committee of Elections to remove as many of those Members as they suspected not to be inclinable to their Passions, upon pretence " that they were not regularly chosen, that so they might bring in others more pliable in their places, in which no rule of Justice was so much as pretended to be observ'd by them; insomuch as it was often said by leading men amongst them, " that they ought in those cases of Elections to be guided by the fitness and " worthiness of the Person, whatsoever the desire of those was, in whom the Right " of Election remain'd; and therefore one man hath been admitted upon the same rule by which another hath been rejected: So they declared, " That no Person, " how Lawfully and Regularly soever chosen and return'd, should be, and sit as a Mem- " ber with them, who had been a party or favourer of any Project, or who had " been employ'd in any illegal Commission.

By this means (contrary to the Customs and Rights of Parliament) many Gentlemen of good Quality were removed, in whose places commonly others were chosen of more agreeable dispositions: but in this likewise there was no rule observ'd; for no person was hereby removed, of whom there was any hope that he might be applied to the violent courses which were intended. Upon which occasion the King charged them in one of his Declarations, " that when, under that no- " tion of Projectors, they expell'd many, they yet never question'd Sr. *Henry Mild-* " *may*, or Mr. *Lawrence Whitaker*; who had been most scandalously engaged in those Pressures, though since more scandalously in all enterprizes against his Majesty, to which never any answer or reply was made.

The next art, was to make the Severity and Rigour of the House as formidable as was possible, and to make as many men apprehend themselves obnoxious to the House, as had been in any trust or employment in the Kingdom. Thus they pass'd many general Votes concerning Ship-money, in which, all who had been High Sheriffs, and so collected it, were highly concern'd. The like sharp Conclusions were made upon all Lords Lieutenants and their Deputies, which were the prime Gentlemen of Quality in all the Counties of *England*. Then upon some disquisition of the Proceedings in the Star-Chamber, and at the Council-Table, all who concurr'd in such a Sentence, and consented to such an Order, were declared Criminal, and to be proceeded against. So that, in a moment, All the Lords of the Council, All who had been Deputy-Lieutenants, or High Sheriffs, during the late years, found themselves within the mercy of these grand Inquisitors: and hearing new terms of art, that a complication of several Misdemeanours might grow up to Treason, and the like, it was no wonder if men desired by all means to get Their favour and protection.

When they had sufficiently startled men by these Proceedings, and upon half an hour's debate sent up an Accusation against the Lord Arch-Bishop of *Canterbury* of High Treason, and so removed him likewise from the King's Council, they rested satisfied with their general Rules, Votes, and Orders, without making halt to proceed either against Things or Persons; being willing, rather to keep men in Suspense, and to have the advantage of their Fears, than, by letting them see the Worst that could befall them, lose the benefit of their application. For this reason they used their

The Arch-Bishop of Canterbury accused of High Treason.

their utmoſt skill to keep off any debate of Ship-money, that that whole buſineſs might hang like a Meteor over the heads of thoſe that were in any degree faulty in it; and it was obſervable, when, notwithſtanding all their endeavours to divert it, that buſineſs was brought into debate, and upon that (which could not be avoided) the Lord *Finch* named as an avow'd Factor and Procurer of that odious Judgement; who, if Their rule were true, "that an "endeavour to alter the Government by Law, and to introduce an Arbitrary "Power, were Treaſon, was the moſt notoriouſly and unexcuſably guilty of that crime of any man that could be named; Before they would endure the mention of an accuſation of High Treaſon, they appointed a Committee, with great deliberation and ſolemnity to bring in a charge Formally prepared (which had not been done in the caſe of the Lord Arch-Biſhop, or the Earl of *Strafford*) and then gave him a day to be heard for himſelf at the Houſe of Commons Bar, whereby, againſt all order, he was to take notice of what was handled in the Houſe concerning himſelf; and then finding that by their own Rules He would be likewiſe accuſed of High Treaſon, they continued the Debate ſo long, that the Lords Houſe was riſen, ſo that the Accuſation was not carried up till the next morning; and before that time, the Lord Keeper (being well inform'd of all that had paſs'd) had withdrawn himſelf; and ſhortly after went into *Holland*: the Lord *Littleton*, then Chief Juſtice of the Court of Common-Pleas, being made Keeper of the Great Seal of *England* in his place.

The Lord Keeper Finch *withdrew beyond Sea:*

About the ſame time, Sr. *Francis Windebank*, one of the principal Secretaries of State, and then a Member of the Houſe of Commons, was accuſed of many tranſactions on the behalf of the Papiſts, of ſeveral natures (whoſe extraordinary Patron indeed he was) and he being then preſent in the Houſe, ſeveral Warrants under his own hand were produced for the diſcharge of Proſecutions againſt Prieſts, and for the releaſe of Prieſts out of Priſon: whereupon, whilſt the matter ſhould be debated, according to cuſtom he was order'd to Withdraw, and ſo went into the uſual place, the Committee-Chamber; immediately whereupon, the Houſe of Commons went to a Conference with the Lords upon ſome other occaſion, and returning from that conference, no more reſumed the debate of the Secretary; but having conſider'd ſome other buſineſs roſe at their uſual hour; and ſo the Secretary had liberty to go to his own houſe; from whence, obſerving the diſpoſition of the Houſe, and well knowing what they were able to ſay againſt him, he had no more mind to truſt himſelf in that company, but the ſame night withdrew himſelf from any place where enquiry might be made for him, and was no more heard of till the news came of his being landed in *France*.

as did likewiſe Secretary Windebank.

So that within leſs than ſix weeks, for no more was yet elapſed, theſe terrible Reformers had cauſed the two greateſt Councellors of the Kingdom, and whom they moſt fear'd, and ſo hated, to be removed from the King, and impriſon'd, under an accuſation of High Treaſon; and frighted away the Lord Keeper of the Great Seal of *England*, and one of the principal Secretaries of State, into Forreign Kingdoms, for fear of the like; beſides the preparing all the Lords of the Council, and very many of the principal Gentlemen throughout *England*, who (as was ſaid before) had been High Sheriffs, and Deputy Lieutenants, to expect ſuch meaſure of Puniſhment from Their general Votes and Reſo'utions, as their future Demeanour ſhould draw upon them, for their paſt Offences: by which means, they were like to find no vigorous Reſiſtance or Oppoſition in their farther deſigns.

I could never yet learn the true reaſon, why they ſuffer'd Secretary *Windebank* to eſcape their Juſtice (for the Lord *Finch*, it was viſible he was in their favour, and they would gladly have preſerv'd him in the place) againſt whom they had more pre nant teſtimony of Offences within the verge of the Law, than againſt any perſon they have accuſed ſince this Parliament, and of ſome that it may be might have proved Capital, and ſo their appetite of Blood might have been ſatisfied: For, beſides his frequent Letters of interceſſion in his Own name, and ſignification of his Majeſty's Pleaſure, on the behalf of Papiſts and Prieſts, to the Judges, and to other Miniſters of Juſtice; and Protections granted by Himſelf to Prieſts, that no body ſhould moleſt them: He harbour'd ſome Prieſts in his own Houſe, knowing them to be ſuch; which by the Statute made in the Twenty ninth year of Queen *Elizabeth* is made Felony: and there were ſome Warrants under his Own hand for the releaſe of Prieſts out of *Newgate*, who

were actually attainted of Treaſon, and condemn'd to be hang'd, drawn, and quarter'd; which by the ſtrict Letter of the Statute, the Lawyers ſaid, would have been very Penal to him.

I remember one Story brought into the Houſe concerning him, that adminiſtred ſome mirth; A Meſſenger (I think his name was *Newton*) who principally attended the ſervice of apprehending Prieſts, came one day to him in his Garden, and told him, "that he had brought with him a Prieſt, a ſtirring and active "perſon, whom he had apprehended that morning; and deſired to know, to "what Priſon he ſhould carry him. The Secretary ſharply ask'd him, "Whe-"ther he would never give over this Blood-thirſty humour? and in great anger calling him Knave, and taking the Warrant from him by which he had apprehended him, departed without giving any other direction. The Meſſenger appall'd, thought the Prieſt was ſome perſon in favour, and therefore took no more care of him, but ſuffer'd him to depart. The Prieſt freed from this fright, went ſecurely to his Lodgings, and within two or three days was arreſted for Debt, and carried in execution to Priſon. Shortly after, Secretary *Windebank* ſent for the Meſſenger, and ask'd him, "What was become of the Prieſt he had at "ſuch a time brought before him? he told him, "that he conceiv'd his Honour "had been offended with the apprehenſion of him, and therefore he had look'd "no farther after him. The Secretary in much Paſſion told him, "the diſ-"charging a Prieſt was no light matter, and that if he ſpeedily found him not, "he ſhould anſwer the default with his life; that the Prieſt was a dangerous "Fellow and muſt not eſcape in that faſhion. The Meſſenger, beſides his natural inclination to that exerciſe, terrified with thoſe threats, left no means untried for the diſcovery, and at laſt heard where the man was in execution in Priſon, thither he went and demanded the Prieſt (who was not there known to be ſuch) as his Priſoner formerly, and eſcaped from him; and by virtue of his firſt Warrant took him again in to his cuſtody, and immediately carried him to the Secretary; and within few days after, the Prieſt was diſcharged, and at liberty. The Jaylor, in whoſe cuſtody he had been put for debt, was arreſted by the Parties griev'd, and he again ſued the Meſſenger, who appeal'd for Juſtice to the Houſe of Commons againſt the Secretary.

This Caſe had been preſented to the Committee, and was ready to be reported, with all thoſe Warrants under his own hand before mention'd, at the time when Secretary *Windebank* was in the Houſe. Beſides that, he was charged by the Lords, by Meſſage or at a Conference, for Breach of Priviledge at the Diſſolution of the laſt Parliament, and ſigning Warrants for the ſearching the Studies and Papers of ſome Members; for which, according to the Doctrine then receiv'd, he might have been put into the cuſtody of the Serjeant of the Houſe. But, as the laſt occaſion was not laid hold of, becauſe it would have inevitably involv'd his brother Secretary Sr. *Harry Vane*, who was under the ſame charge, and againſt whom indeed That charge was aim'd: So it ſeems, they were contented he ſhould make an eſcape from any Trial for the reſt; either, becauſe they thought his Place would be ſooner void by his Flight than by his Trial, which would have taken up ſome time, and required ſome formality, they having deſign'd that Place to Mr. *Hollis*; or, that they thought he would upon any examination, draw in ſomewhat to the Prejudice of Sr. *Henry Vane*, whom They were to protect: and ſo they were well content with his Eſcape.

Having made their firſt entrance upon buſineſs with this vigour, they proceeded every day with the ſame fervour; and he who expreſt moſt Warmth againſt the Court and the Government, was heard with the moſt Favour; every day producing many form'd elaborate Orations, againſt all the Acts of State which had been done for many years preceding. That they might haſten the Proſecution of the Earl of *Strafford*, which was their firſt great deſign, they made a cloſe Committee of ſuch Members, as they knew to be moſt for their purpoſe, who ſhould, under an obligation of Secrecy, prepare the heads of a Charge againſt him; which had been ſeldom or never heard of before in Parliament: and that they might be ſure to do their buſineſs effectually, they ſent a meſſage to the Houſe of Peers, to deſire Them "to nominate a ſelect Committee likewiſe "of a few, to examine upon oath ſuch Witneſſes, as the Committee of the "Houſe of Commons for preparing the Charge againſt the Earl of *Strafford* ſhould

" ſhould produce before them, and in their Preſence and upon ſuch Interrogatories as they ſhould offer; which, though it was without precedent, or example, the Lords preſently conſented to, and named ſuch men as knew well what they had to do. Then they cauſed Petitions to be every day preſented, by ſome who had been Griev'd by any ſevere Sentences in the Star-chamber, or Committed by the Lords of the Council; againſt Lords Lieutenants of Counties, and their Deputy-Lieutenants, for having levyed Money upon the Country, for conducting and cloathing of Soldiers, and other actions of a Martial nature (which had been done by thoſe Officers ſo qualified, from the time of Queen *Elizabeth*, and was practiſed throughout her Reign) and againſt Sheriffs, for having levyed Ship-money. Upon all which Petitions, the matter being preſs'd and aggravated ſtill, upon every particular by ſome Member of note and authority, upon which all the Acts how formal and judicial ſoever, without ſo much as hearing the Sentences or Judgements read, were voted " to be Illegal, and againſt the Liberty and Property of the Subject; and that all " who were guilty of ſuch Proceedings, ſhould be proſecuted for their preſumpti- " on, and ſhould likewiſe pay Damages to the perſons injured.

By which general Votes (all paſs'd within a ſhort time after the ſitting of the Parliament) they had made themſelves ſo terrible, that all Privy-Councellors, as well for what they had done at the board, as in the Star-chamber (where indeed many notable Sentences had paſs'd, with ſome exceſs in the Puniſhment) all Lords Lieutenants, who for the moſt part were likewiſe Councellors, whereof all were of the Houſe of Peers; and then all who were Deputy-Lieutenants, or had been Sheriffs ſince the firſt iſſuing out of Writs for the collection of Ship-money, whereof very many were then of the Houſe of the Commons; found themſelves involv'd under ſome of thoſe Votes, and liable to be proceeded againſt upon the firſt provocation; whereby they were kept in ſuch aw, both in the one Houſe, and the other, as if they were upon their good behaviour, that they durſt not appear to diſlike, much leſs to oppoſe whatſoever was propoſed.

All Perſons impriſon'd for Sedition, by the Star-chamber, upon the moſt ſolemn examination and the moſt grave deliberation, were ſet at liberty, that they might proſecute their Appeals in Parliament. In the mean time, though there were two Armies in the bowels of the Kingdom, at ſo vaſt an expence, care was taken only to provide money to Pay them, without the leaſt mention that the one ſhould return into *Scotland*, and the other be disbanded, that ſo that vaſt expence might be determin'd: but on the contrary, frequent inſinuations were given, " that many great things " were firſt to be done before the Armies could be disbanded; only they deſired the " King " that all Papiſts might be forthwith caſhier'd out of his Army, which his Majeſty could not deny; and ſo ſome Officers of good account were immediately diſmiſs'd.

The Temper of both Houſes at that time, and the character of the then Leading men in both.

It will not be impertinent nor unnatural to this preſent Diſcourſe, to ſet down in this place the preſent temper and conſtitution of both Houſes of Parliament, that it may be the leſs wonder'd at, that ſo prodigious an alteration ſhould be made in ſo ſhort a time, and the Crown fallen ſo low, that it could neither ſupport it Self, and its Own Majeſty, nor Them who would appear faithful to it.

In the Houſe of Peers.

Of the Houſe of Peers, the great contrivers and deſigners were, firſt the Earl of *Bedford*, a wiſe man, and of too great and plentiful a fortune to wiſh a ſubverſion of the Government; and it quickly appear'd, that he only intended to make Himſelf and His Friends great at Court, not at all to leſſen the Court it Self.

the Earl of Bedford.

the Lord Say.

The Lord Viſcount *Say*, a man of a cloſe and reſerv'd nature, of a mean and a narrow fortune, of great parts, and of the higheſt Ambition: but whoſe Ambition would not be ſatisfied with Offices and Preferments, without ſome condeſcenſions and alterations in Eccleſiaſtical matters. He had for many years been the Oracle of thoſe who were call'd Puritans in the worſt ſenſe, and ſteer'd all Their counſels and deſigns. He was a notorious Enemy to the Church, and to moſt of the eminent Church-men, with ſome of whom he had particular conteſts. He had always oppoſed and contradicted all acts of State, and all Taxes and Impoſitions which were not exactly Legal, and ſo had as eminently and as obſtinately refuſed the payment of Ship money as Mr. *Hambden* had done; though the latter, by the choice of the King's Council, had brought his Cauſe to be firſt heard and argued, with which Judgement, it was intended the whole right of that matter ſhould be concluded, and all other cauſes over-ruled. The Lord *Say* would not acquieſce, but preſs'd to have his own Caſe argued, and was ſo ſollicitous in Perſon with all the

the Judges, both privately at their Chambers, and publickly in the Court at *Weſtminſter*, that he was very grievous to them. His Commitment at *York*, the year before, becauſe he refuſed to take an Oath, or rather ſubſcribe a Proteſtation, againſt holding Intelligence with the *Scots*, when the King firſt march'd againſt them, had given him much credit. In a word, he had very great authority with all the Diſcontented party throughout the Kingdom, and a good reputation with many who were not diſcontented, who believ'd him to be a wiſe man and of a very uſeful temper, in an age of Licence, and one who would ſtill adhere to the Law.

The Lord Mandevile. The Lord *Mandevile*, eldeſt Son to the Lord Privy-Seal, was a perſon of great civility, and very well bred, and had been early in the Court under the favour of the Duke of *Buckingham*, a Lady of whoſe Family he had married: he had attended upon the Prince when he was in *Spain*, and had been call'd to the Houſe of Peers in the life time of his Father, by the name of the Lord *Kimbolton*, which was a very extraordinary favour. Upon the Death of the Duke of *Buckingham*, his Wife being likewiſe dead, he married the Daughter of the Earl of *Warwick*. A man in no grace at Court, and look'd upon as the greateſt Patron of the Puritans, becauſe of much the greateſt Eſtate of all who favour'd them, and ſo was eſteem'd by them with great application and veneration: though he was of a life very licentious, and unconformable to their profeſs'd Rigour, which they rather diſpenſed with, than they would withdraw from a Houſe where they receiv'd ſo eminent a Protection and ſuch notable Bounty. Upon this latter Marriage the Lord *Mandevile* totally eſtranged himſelf from the Court, and upon all occaſions appear'd enough to diſlike what was done there, and engaged himſelf wholly in the converſation of thoſe who were moſt notoriouſly of that Party, whereof there was a kind of Fraternity of many perſons of good condition, who choſe to live together in one Family, at a Gentleman's Houſe of a fair fortune, near the place where the Lord *Mandevile* liv'd, whither others of that *Claſſis* likewiſe reſorted, and maintain'd a joint and mutual correſpondence and converſation together with much familiarity and friendſhip. That Lord, to ſupport and the better to improve that Popularity, living at a much higher rate than the narrow exhibition allow'd to him by his wary Father could juſtify, making up the reſt by contracting a great debt, which long lay heavy upon him; by which generous way of living, and by his natural civility, good manners and good nature, which flow'd towards all men, he was univerſally acceptable and belov'd; and no man more in the confidence of the Diſcontented and Factious party than He, and none to whom the whole maſs of Their deſigns, as well what remain'd in Chaos, as what was Form'd, was more entirely communicated, and no man more conſulted with. And therefore theſe three Lords are nominated as the Principal Agents in the Houſe of Peers (though there were many there of Quality and intereſt much ſuperiour to any of Them) becauſe they were principally and abſolutely truſted by thoſe who were to manage all in the Houſe of Commons, and to raiſe that Spirit which was upon all occaſions to inflame the Lords. Yet it being enough known and underſtood, that how indiſpoſed and angry ſoever many of them at preſent appear'd to be, there would be ſtill a major part There who would, if they were not over-reach'd, adhere to the King and the eſtabliſh'd Government, and therefore, theſe three perſons were truſted without reſerve, and relied upon ſo to ſteer, as might increaſe their Party by all the arts imaginable; and they had dexterity enough to appear to depend upon thoſe three Lords, who were look'd upon as Greater, and as Popular men; and to be ſubſervient to Their purpoſes, Whom in truth they govern'd and diſpoſed of.

The Earl of Eſſex. And by theſe Artifices, and application to his Vanity, and magnifying the general reputation and credit he had with the People, and ſharpning the ſenſe he had of his late ill treatment at Court, they fully prevail'd upon, and poſſeſs'd themſelves of, the Earl of *Eſſex*; who, though he was no good Speaker in Publick, yet, by having ſate long in Parliament, was ſo well acquainted with the order of it in very active times, that he was a better Speaker there than any where elſe, and being always heard with attention and reſpect, had much Authority in the debates. Nor did he need any incitement (which made all approaches to him the more eaſy) to do any thing againſt the Perſons of the Lord Arch-Biſhop of *Canterbury*, and the Lord Lieutenant of *Ireland*, towards whom he profeſs'd a full diſlike; who were the only Perſons againſt whom there was any declared deſign, and againſt whom the *Scots* had

had in their Manifeſto demanded Juſtice, as the cauſe of the War between the Nations. And in this Proſecution there was too great a concurrence: *Warwick*, *Brook*, *Wharton*, *Paget*, *Howard*, and ſome others, implicitly follow'd and obſerv'd the dictates of the Lords mention'd before, and ſtarted or ſeconded what they were directed.

In the Houſe of Commons.

In the Houſe of Commons were many perſons of Wiſdom and Gravity, who being poſſeſs'd of great and plentiful Fortunes, though they were undevoted enough to the Court, and all imaginable duty for the King, and affection to the Government eſtabliſh'd by Law or ancient Cuſtom; and without doubt, the major part of that Body conſiſted of men who had no mind to break the Peace of the Kingdom, or to make any conſiderable alterations in the Government of Church or State: and therefore all Inventions were ſet on foot from the beginning to work on them, and corrupt them, by ſuggeſtions "of the Dangers which threat-"ned All that was precious to the Subject in their Liberty and their Property, "by overthrowing, or over-maſtering the Law, and ſubjecting it to an Arbitrary "power, and by countenancing Popery to the ſubverſion of the Proteſtant Reli-"gion; and then by infuſing terrible Apprehenſions into ſome, and ſo working upon their Fears "of being call'd in Queſtion for ſomewhat they had done, by which they would ſtand in need of Their protection; and raiſing the Hopes of others, "that by concurring with Them, they ſhould be ſure to obtain Offi-"ces, and Honours, and any kind of Preferment. Though there were too many corrupted and miſled by theſe ſeveral Temptations, and others who needed no other temptations than from the fierceneſs of their Own natures, and the malice they had contracted againſt the Church and againſt the Court; Yet the number was not great of thoſe in whom the Government of the reſt was veſted, nor were there any who had the abſolute Authority to Lead, though there was a multitude diſpoſed to Follow.

Mr. Pym.

Mr. *Pym* was look'd upon as the man of greateſt Experience in Parliament, where he had ſerv'd very long, and was always a man of buſineſs, being an Officer in the Exchequer, and of a good reputation generally, though known to be inclined to the Puritan faction; yet not of thoſe furious reſolutions againſt the Church as the other Leading men were, and wholely devoted to the Earl of *Bedford* who had nothing of that Spirit.

Mr. Hambden.

Mr. *Hambden* was a man of much greater Cunning, and it may be, of the moſt diſcerning Spirit, and of the greateſt Addreſs and Inſinuation to bring any thing to paſs which he deſired, of any man of that time, and who laid the deſign deepeſt. He was a Gentleman of a good extraction, and a fair fortune, who, from a life of great pleaſure and licence, had on a ſuddain retired to extraordinary ſobriety and ſtrictneſs, and yet retain'd his uſual chearfulneſs and affability; which, together with the opinion of his wiſdom and juſtice, and the courage he had ſhew'd in oppoſing the Ship-money, raiſed his Reputation to a very great heigth, not only in *Buckinghamſhire* where he liv'd, but generally throughout the Kingdom. He was not a man of many words, and rarely began the diſcourſe, or made the firſt entrance upon any buſineſs that was aſſumed; but a very Weighty ſpeaker, and after he had heard a full debate, and obſerv'd how the Houſe was like to be inclined, took up the argument, and ſhortly, and clearly, and craftily, ſo ſtated it, that he commonly conducted it to the concluſion he deſired; and if he found he could not do that, he was never without the dexterity to divert the debate to another time, and to prevent the determining any thing in the Negative, which might prove Inconvenient in the future. He made ſo great a ſhew of civility, and modeſty, and humility, and allways of miſtruſting his Own judgement, and eſteeming His with whom he conferr'd for the preſent, that he ſeem'd to have no opinions or reſolutions, but ſuch as he contracted from the information and inſtruction he receiv'd upon the diſcourſes of others, whom he had a wonderful art of governing, and leading into His principles and inclinations, whilſt They believ'd that he wholely depended upon their counſel and advice. No man had ever a greater power over himſelf, or was leſs the man that he ſeem'd to be, which ſhortly after appear'd to every body, when he cared leſs to keep on the Maſque.

Mr. Saint-John.

Mr. *Saint-John*, who was in a firm and entire conjunction with the other Two, was a Lawyer of *Lincolns*-Inn, known to be of parts and induſtry, but not

taken notice of for practice in *Weſtminſter*-Hall, till he argued at the Exchequer Chamber the caſe of Ship money on the behalf of Mr. *Hambden*; which gave him much reputation, and call'd him into all Courts, and to all Cauſes, where the King's Prerogative was moſt conteſted. He was a man reſerv'd, and of a dark and clouded countenance, very proud, and converſing with very few, and thoſe, men of his own humour and inclinations. He had been queſtion'd, committed, and brought into the Star-chamber, many years before, with other Perſons of great Name and Reputation (which firſt brought His name upon the Stage) for communicating ſome Paper among themſelves, which ſome men at that time had a mind to have extended to a deſign of Sedition; but it being quickly evident that the Proſecution would not be attended with Succeſs, they were all ſhortly after diſcharged; but he never forgave the Court the firſt aſſault, and contracted an implacable diſpleaſure againſt the Church purely from the Company he kept. He was of an intimate truſt with the Earl of *Bedford*, to whom he was in ſome ſort allied (being a natural Son of the Houſe of *Bullingbrook*) and by him brought into all matters where himſelf was to be concern'd. It was generally believ'd, that theſe three Perſons, with the other three Lords mention'd before, were of the moſt intimate and entire truſt with each other, and made the Engine which moved all the reſt: yet it was viſible, that *Nathaniel Fiennes*, the ſecond Son of the Lord *Say*, and Sr. *Harry Vane*, eldeſt Son to the Secretary, and Treaſurer of the Houſe, were receiv'd by Them with full confidence and without reſerve.

Mr. Nathaniel Fiennes.

The former being a man of good Parts of Learning, and after ſome years ſpent in *New Colledge* in *Oxford*, of which his Father had been formerly Fellow (that Family claiming and enjoying many Priviledges there, as of kin to the Founder) had ſpent his time abroad, in *Geneva* and among the Cantons of *Switzerland*, where he improved his Diſinclination to the Church, with which Milk he had been nurſed. From his Travels he return'd through *Scotland* (which few Travellers took in their way home) at the time when that Rebellion was in the Bud; and was very little known, except amongſt that People, which converſed wholely amongſt themſelves, untill he was now found in Parliament, when it was quickly diſcover'd, that as he was the darling of his Father, ſo he was like to make good whatſoever He had for many years promiſed.

Sr. Harry Vane *Junior*,

The other, Sr. *Harry Vane*, was a man of great natural parts, and of very profound diſſimulation, of a quick conception, and very ready, ſharp, and weighty expreſſion. He had an unuſual aſpect, which, though it might naturally proceed both from his Father and Mother, neither of which were beautiful perſons, yet made men think there was ſomething in him of Extraordinary; and his whole life made good that imagination. Within a very ſhort time after he return'd from his Studies in *Magdalen* Colledge in *Oxford*, where, though he was under the care of a very worthy Tutor, he liv'd not with great exactneſs, he ſpent ſome little time in *France*, and more in *Geneva*; and after his return into *England*, contracted a full prejudice and bitterneſs againſt the Church, both againſt the Form of the Government, and the Liturgy, which was generally in great reverence, even with many of thoſe who were not friends to the other. In this Giddyneſs, which then much diſpleaſed, or ſeem'd to diſpleaſe, his Father, who ſtill appear'd highly conformable, and exceeding ſharp againſt thoſe who were not, he tranſported himſelf into *New-England*. A Colony within few years before planted by a mixture of all Religions, which diſpoſed the Profeſſors to diſlike the Government of the Church; who were qualified by the King's Charter to chooſe their Own Government and Governours, under the obligation, "that every "man ſhould take the Oaths of Allegiance and Supremacy; which all the firſt Planters did, when they receiv'd their Charter, before they tranſported themſelves from hence, nor was there in many years, the leaſt Scruple amongſt them, of complying with thoſe obligations, ſo far men were, in the Infancy of their Schiſm, from refuſing to take Lawful Oaths. He was no ſooner landed there, but his Parts made him quickly taken notice of, and very probably his Quality, being the eldeſt Son of a Privy-Counſellor, might give him ſome advantage; inſomuch, that when the next ſeaſon came for the Election of their Magiſtrates, he was choſen their Governour; in which Place he had ſo ill fortune (his working and unquiet fancy raiſing and infuſing a thouſand Scruples

of

of Conſcience which they had not brought over with them, nor heard of before) that he unſatisfy'd with Them, and They with him, He tranſported himſelf into *England*; having ſow'd ſuch ſeed of Diſſention there, as grew up too proſperouſly, and miſerably divided the poor Colony into ſeveral Factions, and Diviſions, and Perſecutions of each other, which ſtill continue to the great Prejudice of that Plantation: inſomuch as ſome of them upon the ground of the firſt expedition, Liberty of Conſcience, have withdrawn themſelves from Their juriſdiction, and obtain'd other Charters from the King, by which, in other forms of Government, they have enlarged their Plantation, within new limits adjacent to the other. He was no ſooner return'd into *England*, than he ſeem'd to be much reform'd from his Extravagancies, and with his Father's approbation and direction, married a Lady of a good Family, and by his Father's credit with the Earl of *Northumberland*, who was High Admiral of *England*, was join'd preſently and jointly with Sr. *William Ruſſel* in the office of Treaſurer of the Navy (a place of great truſt and profit) which he equally ſhared with the other, and ſeem'd a man well ſatisfied and compoſed to the Government. When his Father receiv'd the Diſobligation from the Lord *Strafford*, by his being created Baron of *Raby*, the Houſe and Land of *Vane* (which Title he had promiſed Himſelf, but it was unluckily caſt upon the Earl, purely out of contempt of *Vane*) they ſuck'd in all the thoughts of Revenge imaginable; and from thence the Son betook himſelf to the Friendſhip of Mr. *Pym*, and all other Diſcontented or Seditious perſons, and contributed all that Intelligence (which will hereafter be mention'd, as he himſelf will often be) that deſign'd the Ruin of the Earl, and which grafted him in the entire confidence of Thoſe who promoted the the ſame; ſo, that nothing was conceal'd from Him, though 'its believ'd that he communicated his Own thoughts to very few. 1640

DENZILL *Hollis*, the younger Son and younger Brother of the Earls of *Clare*, was as much valued and eſteem'd by the whole Party, as any man; as he deſerv'd to be, being of more accompliſh'd Parts than any of them, and of great reputation by the part he acted againſt the Court and the Duke of *Buckingham*, in the Parliament of the Fourth year of the King (the laſt Parliament that had been before the Short one in *April*) and his long Impriſonment, and ſharp Proſecution afterwards, upon that account; of which he retain'd the memory with acrimony enough. But he would in no degree intermeddle in the Counſel or Proſecution of the Earl of *Strafford* (which he could not prevent) who had married his Siſter, by whom he had all his Children, which made him a Stranger to all Thoſe conſultations, though it did not otherwiſe interrupt the Friendſhip he had with the moſt violent of thoſe Proſecutors. In all other contrivances he was in the moſt Secret Counſels with thoſe who moſt govern'd, and was reſpected by them with very ſubmiſs applications as a man of authority. Sr. *Gilbert Gerrard*, the Lord *Digby*, *Strode*, *Haſlerigg*; and the Northern Gentlemen, who were moſt angry with the Earl, or apprehenſive of Their Own being in the Mercy of the Houſe, as *Hotham*, *Cholmely*, and *Stapleton*; with ſome Popular Lawyers of the Houſe, who did not ſuſpect any Wickedneſs in deſign, and ſo became involv'd by degrees in the Worſt, obſerv'd and purſued the dictates and directions of the Other, according to the parts which were aſſign'd to them upon emergent occaſions: whilſt the whole Houſe look'd on with wonder and amazement, without any man's interpoſing to allay the Paſſion and the Fury with which ſo Many were tranſported. *Mr.* Denzill Hollis.

This was the preſent Temper and Conſtitution of both Houſes of Parliament upon their firſt coming together, when (as *Tacitus* ſays of the Jews, "that they "exerciſed the higheſt offices of kindneſs and friendſhip towards each other, & *adverſus omnes alios hoſtile odium*) they watch'd all thoſe who they knew were not of Their opinions, nor like to be, with all poſſible Jealouſy; and if any of their elections could be brought into Queſtion, they were ſure to be voted out of the Houſe, and then all the artifices were uſed to bring in more Sanctified Members; ſo that every week encreaſed the number of their Party, both by new elections, and the Proſelytes they gain'd upon the old. Nor was it to be wonder'd at, for they pretended all Publick thoughts, and only the reformation of diſapproved and odious Enormities, and diſſembled all purpoſes of removing Foundations, which, though it was in the hearts of ſome, they had not the courage and confidence to communicate it.

The

The *Engliſh* and the *Scottiſh* Armies remain'd quiet in their ſeveral Quarters in the North, without any acts of Hoſtility, under the obligation of the Ceſſation which was ſtill prorogued from Month to Month, that the People might believe that a full Peace would be quickly concluded. And the Treaty, which during the King's being at *York* had been held at *Rippon*, being now adjourn'd to *London*, the *Scottiſh* Commiſſioners, (whereof the Earl of *Rothes*, and the Lord *Lowden* who hath been mention'd before, were the chief) came thither in great State, and were receiv'd by the King with that countenance which he could not chuſe but ſhew to them; and were then lodged in the heart of the City, near *London*-Stone, in a houſe which uſed to be inhabited by the Lord Mayor or one of the Sheriffs, and was ſituated ſo near to the Church of St. *Antholins* (a place in late times made famous by ſome Seditious Lecturer) that there was a way out of it into a Gallery of the Church. This benefit was well foreſeen on all ſides in the accommodation, and this Church aſſign'd to Them for their own Devotions, where one of their own Chaplains ſtill Preach'd, amongſt which, *Alexander Henderſon* was the chief, who was likewiſe join'd with them in the Treaty in all matters which had reference to Religion: and to hear thoſe Sermons there was ſo great a conflux and reſort, by the Citizens out of Humour and Faction; by others of all qualities out of Curioſity; and by ſome that they might the better juſtify the Contempt they had of them, that from the firſt appearance of day in the morning on every Sunday, to the ſhutting in of the Light, the Church was never empty. They (eſpecially the Women) who had the happineſs to get into the Church in the morning (they who could not, hung upon or about the Windows without to be Auditors or Spectators) keeping their places till the afternoons Exerciſe was finiſh'd, which both morning and afternoon, except to Pallats, and Appetites ridiculouſly corrupted, was the moſt Inſipid and Flat that could be deliver'd upon any deliberation.

The Scottiſh *Commiſſioners come to* London, *and lodge in the City.*

The Earl of *Rothes* had been the chief Architect of that whole Machine from the beginning, and was a man very well bred, of very good parts, and great addreſs; in his perſon very acceptable, pleaſant in converſation, very free and amorous, and unreſtrain'd in his diſcourſe by any ſcruples of Religion, which he only put on when the part he was to act required it, and then no man could appear more Conſcientiouſly tranſported. There will be ſometimes occaſion to mention him hereafter, as already as much hath been ſaid of the other, the Lord *Lowden*, as is yet neceſſary.

A Committee of both Houſes appointed to treat with the Scottiſh *Commiſſioners.*

They were no ſooner come to the Town, but a new Committee of the Members of both Houſes, ſuch as were very acceptable to them, was appointed to renew and continue the Treaty with them that had been begun at *Rippon*: and then they Publiſh'd and Printed their Declaration againſt the Arch-Biſhop of *Canterbury* and the Lieutenant of *Ireland*, in which they ſaid, " that as they did " reſerve thoſe of their Own Country who had been Incendiaries between the two " Kingdoms, to be proceeded againſt in their Own Parliament, ſo they deſired " no other Juſtice to be done againſt theſe Two criminal Perſons but what ſhould " ſeem good to the Wiſdom of the Parliament.

It was eaſily diſcern'd (by thoſe who ſaw at any diſtance, and who had been long jealous of that trick) from that expreſſion concerning *Their Own Country men*, that they meant no harm to the Marquis of *Hamilton*, againſt Whom, in the beginning of the Rebellion, all their bitterneſs ſeem'd to be directed, and Who was thought to have the leaſt portion of kindneſs or good will from the three Nations, of any man who related to the King's Service. But he had, by the Friendſhip he had ſhew'd to the Lord *Lowden*, and procuring his Liberty, when he was in the Tower for ſo notorious a Treaſon, and was to be in the head of another aſſoon as he ſhould be at Liberty; and by his application and dexterity at *York* in the meeting of the great Council, and with the *Scottiſh* Commiſſioners employ'd thither before the Treaty; and by his promiſe of Future Offices and Services, which he made good abundantly; procured as well from the *Engliſh* as the *Scots*, all aſſurance of Indemnity: which they ſo diligently made good, that they were not more ſollicitous to contrive and find out Evidence or Information againſt the other Two great men, than they were to prevent all Information or Complaint, and to ſtifle all Evidence, which was offer'd, or could be produced againſt the Marquis.

And they were exceedingly vigilant to prevent the *Scottiſh* Commiſſioners entring into any Familiarity or Converſation with any who were not faſt to Their party.

party. Inſomuch as one day the Earl of *Rothes* walking in *Weſtminſter*-Hall with Mr. *Hyde*, towards whom he had a kindneſs by reaſon of their mutual friendſhip with ſome Perſons of Honour, and they Two walking towards the Gate to take Coach to make a Viſit together, the Earl on a ſuddain deſired the other "to walk "towards the Coach, and he would overtake him by the time he came thither; but ſtaying very long, He imagin'd he might be diverted from his purpoſe, and ſo walk'd back into the Hall, where preſently meeting him, they both purſued their former intention; and being in the Coach, the Earl told him, "that he muſt excuſe his having "made him ſtay ſo long, becauſe he had been detain'd only concerning him; that "when he was walking with him, a Gentleman paſſing by touch'd his Cloak, "which made him deſire the other to go before; and turning to the other perſon, "He ſaid, That ſeeing him walk in ſome familiarity, with Mr. *Hyde*, he thought "himſelf obliged to tell him, that he walk'd with the greateſt Enemy the *Scot-* "*tiſh* Nation had in the Parliament, and that he ought to take heed how he "communicated any thing of Importance to Him; and that after he was parted "with that Gentleman before he could paſs through the Hall, four or five other "Eminent men ſeverally, gave him the ſame advertiſement and caution; and then ſpoke as unconcernedly and as merrily of the Perſons and Their Jealouſy as the Other could do. Men who were ſo Sagacious in purſuing their point, were not like to miſcarry.

The firſt Compliment They put upon the *Scottiſh* Commiſſioners was, that They were careſs'd by Both Houſes with all poſſible expreſſions of Kindneſs at leaſt, if not of Submiſſion; and an Order was carefully entred, "that upon all "occaſions the Appellation ſhould be uſed of [*Our Brethren of* Scotland] and upon That, wonderful kind Compliments paſs'd, of a ſincere reſolution of Amity and Union between the two Nations.

Things being thus conſtituted, it became them to ſatisfy the publick expectation in the Diſcovery of their new Treaſons, and in ſpeedy Proceedings againſt thoſe Two great Perſons. For the better preparing whereof, and facilitating whatever elſe ſhould be neceſſary for that enterprize, the *Scottiſh* Commiſſioners in the Name of that Nation, preſented (as is ſaid before) two diſtinct Declarations, againſt the Perſons of the Arch-Biſhop and the Earl of *Strafford*, ſtuff'd with as much Bitterneſs and Virulency as can be imagin'd, making Them "the "odious Incendiaries of the Differences between the two Nations, and the Ori- "ginal Cauſes of all thoſe Calamities in that Kingdom which begot thoſe Dif- "ferences, and moſt pathetically preſſing for Juſtice againſt them Both. Theſe Diſcourſes (for each of them conſiſted of many Sheets of Paper) were publickly read in both Houſes; That againſt the Arch-Biſhop of *Canterbury* was for the preſent laid aſide, and I am perſwaded, at that time, without any thought of reſuming it, hoping that his Age and Impriſonment would have quickly freed them from farther trouble. But a ſpeedy Proceeding againſt the Other was vehemently preſs'd, as of no leſs importance, than the Peace between the two Kingdoms, not without ſome intimation, "that there could be no expectation "that the *Scottiſh* Army would ever retire into their Country, and conſequently "that the King's Army could be Disbanded, before exemplary Juſtice was done "upon the Earl to Their ſatisfaction. When they had inflamed men with this conſideration ſufficiently; They, without any great difficulty (in order to the neceſſary expedition for that Trial) prevail'd in two Propoſitions of moſt Fatal conſequence to the King's ſervice; and to the Safety and Integrity of all Honeſt men.

Proceedings towards the Earl of Straf-ford's *Trial.*

The Firſt, "for a Committee to be ſettled of both Houſes for the taking Pre- "paratory Examinations. Thus the Allegation was, "That the Charge againſt "the Earl of *Strafford* was of an extraordinary nature, being to make a Treaſon "evident out of a complication of ſeveral ill acts; That he muſt be traced "through many dark paths, and This Precedent ſeditious Diſcourſe, compared "with That Subſequent outragious Action, the Circumſtances of both which, "might be equally conſiderable with the Matter it ſelf; and therefore that be- "fore this Charge could be ſo directly made and prepared as was neceſſary (for he was hitherto only accuſed generally of Treaſon) "it was requiſite, that a "Committee ſhould be made of both Houſes to examine ſome Witneſſes upon "Oath, upon whoſe Depoſitions, his Impeachment would eaſily be framed.

This was no ſooner propoſed in the Houſe of Commons, then conſented to and upon as little debate yielded to by the Lords; and the Committee ſettled accordingly: without conſidering that ſuch an Inquiſition (beſides that the ſame was contrary to the Practice of former times) would eaſily prepare a Charge againſt the moſt Innocent man alive; where that liberty ſhould be taken to examine a man's whole life; and all the light, and all the private diſcourſes had paſt from him, might be tortured, perverted, and applied, according to the conſcience and the craft of a Diligent and Malicious Proſecution.

The Second was, "for the Examining upon Oath Privy-Counſellors, upon "ſuch matters as had paſs'd at the Council-Table. The Allegation for this was, "That the principal Ingredient into the Treaſon with which the Earl was to be "charged, was a purpoſe to Change the Form of Government; and inſtead of "That ſettled by Law, to introduce a Power meerly Arbitrary: Now this de-"ſign muſt be made Evident, as well by the Advices which he gave, and the "Expreſſions he utter'd upon Emergent Occaſions, as by his Publick Actions; "and Thoſe could not be diſcover'd, at leaſt not proved, but by Thoſe who "were Preſent at ſuch conſultations, and They were only Privy-Counſellors. As it was alledged. "That at his coming from *Ireland* the Earl had ſaid in Council "there; That if ever he return'd to that Sword again, he would not leave a "*Scottiſh* man in that Kingdom: and at his arrival in this Kingdom; the Lord Mayor and ſome Aldermen of *London* attending the Board about the Loan of "Moneys, and not giving that Satisfaction was expected, that he ſhould pull a Letter "out of his pocket, and ſhew what courſe the King of *France* then took for "the raiſing of Money; and that He ſhould tell the King, That it would "never be well till he hang'd up a Lord Mayor of *London* in the City to "terrify the reſt.

There was no greater difficulty to ſatisfy the Houſe of Commons with the Reaſonableneſs of this, than of the former; but the Compaſſing it, was not like to be eaſy: for it was viſible, that though the Lords ſhould join with them (which was not to be deſpair'd) the Privy-Counſellors would inſiſt upon the Oath they had taken, and pretend "that without the King's conſent they might not "diſcover any thing that had paſs'd at that Board; ſo that the greateſt difficulty "would be, The procuring the King's conſent for the betraying Himſelf: but "This muſt be inſiſted on, for God forbid that it might be ſafe for any deſperate "wicked Councellor to propoſe and adviſe at that Board (which in the intervals of Parliaments wholely diſpoſed the affairs of State) "courſes deſtructive to "the health and being of the Kingdom; and that the Soveraign Phyſician the "Parliament (which had the only skill to cure thoſe contagious and epidemical "diſeaſes) ſhould be hindred from preſerving the Publick, becauſe no Evi-"dence muſt be given of ſuch corrupt and wicked Counſels. And ſo provided with this ſpecious Oratory, they deſired the Lords "to concur with Them for "this neceſſary Examination of Privy-Counſellors; Who, without much debate (for the Perſons concern'd knew well their Acts were viſible and publick enough, and therefore conſider'd not much what Words had paſs'd) conſented; and appointed ſome to attend the King for his conſent: Who, not well weighing the Conſequence; and being in Publick Council unanimouſly adviſed "to conſent to "it; and that the not doing it would lay ſome taint upon his Council, and be a "tacit confeſſion, that there had been agitations at that place which would not "endure the light; Yielded that they ſhould be examin'd: which was ſpeedily done accordingly, by the Committee of both Houſes appointed for that purpoſe.

The Damage was not to be expreſs'd, and the Ruin that laſt act brought to the King was irreparable; for, beſides that it ſerv'd Their turn (which no queſtion they had diſcover'd before) to prove thoſe words againſt the Earl of *Strafford*, which Sr. *Harry Vane* ſo punctually remember'd (as you ſhall find at the Earl's Trial) and beſides, that it was matter of horrour to the Councellors, to find that they might be arraign'd for every raſh, every inconſiderate, every imperious expreſſion or word they had uſed There; and ſo made them more engaged to ſervile applications: it baniſh'd for ever all future freedom from that Board, and thoſe Perſons, from whom his Majeſty was to expect advice in his greateſt ſtreights; all men ſatisfying themſelves, "that they were no more "obliged to deliver their opinions There freely, when they might be Impeach'd "in

" in another place for ſo doing; and the evincing this ſo uſeful Doctrine, was without doubt more the deſign of thoſe grand Managers, than any hope they had, of receiving further Information thereby, than they had before.

And for my part I muſt ask leave of thoſe Noble Lords, Who after the King's conſent gave themſelves liberty to be Examin'd, to ſay; that if they had well conſider'd the Oath they had taken when they were admitted to that Society, which was [*To keep Secret all matters committed and reveal'd to them, or that ſhould be treated of ſecretly in Council*] they would not have believ'd, that the King Himſelf could have diſpenſed with that Part of their Oath. It is true, there is another clauſe in their Oath, that allows them with the King's conſent to reveal a matter of Council: but that is, Only what ſhall touch another Councellor; which they are not to do without the leave of the King, or the Council.

It was now time to mind Themſelves, as well as the Publick, and to Repair, as well as Pull Down; and therefore as the principal reaſon (as was ſaid before) for the accuſing thoſe Two great Perſons of High Treaſon (that is, of the general Conſent to it before any Evidence was required) was, that they might be removed from the King's Preſence and his Counſels, without which they conceiv'd Theirs would have no power with him; ſo that being compaſs'd, care was taken to infuſe into the King by Marquis *Hamilton* (who you heard before was licenſed to take care of Himſelf; and was now of great intimacy with the Governing and Undertaking Party) " that his Majeſty having declared " to his People, that He really intended a Reformation of all thoſe Extravagancies " which former neceſſities, or occaſions, or miſtakes, had brought into the Go- " vernment of Church or State: He could not give a more lively and de- " monſtrable Evidence, and a more gracious Inſtance of ſuch his intention, than " by calling ſuch Perſons to his Council, Whom the People generally thought " moſt inclined to, and intent upon, ſuch Reformation: beſides that this would " be a good means to preſerve the dignity and juſt power of that Board, which " might otherwiſe, on the account of the late exceſs and violation, be more ſub- " ject to inconvenient attempts for the Future.

Divers new Privy-Counſellors ſworn of the Popular Party.

Hereupon in one day were ſworn Privy-Counſellors, much to the publick joy, the Earl of *Hertford* (whom the King afterwards made Marquis) the Earl of *Bedford*, the Earl of *Eſſex*,, the Earl of *Briſtol*, the Lord *Say*, the Lord *Savile*, and the Lord *Kimbolton*; and within two or three days after, the Earl of *Warwick*: being All perſons at that time very gracious to the People, or to the *Scots*, by whoſe election and diſcretion the People choſe; and had been All in ſome umbrage at Court, and Moſt in viſible diſfavour there. This act the King did very chearfully; heartily inclined to Some of them, as He had reaſon; and not apprehending any Inconvenience by that act from the Other, whom he thought this light of his grace would Reform, or at leaſt Reſtrain.

But the calling and admitting men to that Board is not a work that can be Indifferent; the Reputation, if not the Government of the State depending on it. And though, it may be, there hath been too much Curioſity heretofore uſed to diſcover men's humours in particular points, before they have receiv'd that Honour; whereas poſſibly ſuch differences were rather to have been deſired than avoided: yet there are certain Opinions, certain Propoſitions, and general Principles, that Whoſoever does not hold, and does not believe, is not, without great danger, to be accepted for a Privy-Counſellor. As, Whoſoever is not fix'd to Monarchical grounds, the preſervation and upholding whereof is the chief End of ſuch a Council: Whoſoever doth not believe that in order to that great End, there is a Dignity, a Freedom, a Juriſdiction moſt eſſential to be preſerv'd In, and To that place; and takes not the Preſervation thereof to heart; ought never to be receiv'd there. What in prudence is to be done towards that End, admits a latitude that honeſt and wiſe men may ſafely and profitably differ in; and thoſe Differences (which I ſaid before there was too much unskilful care to prevent) uſually produce great advantages in knowledge and wiſdom: but the End it ſelf, that which the Logicians call the *Terminus ad quem*, ought always to be a *poſtulatum*, which Whoſoever doubts, deſtroys: and Princes cannot be too ſtrict, too tender, in this conſideration, in the conſtituting the body of their Privy-Council; upon the prudent doing whereof, much of their Safety; more of their Honour and Reputation (which is the Life it ſelf

ſelf of Princes) both at home and abroad neceſſarily depends: and the Inadvertencies in this Point, have been mediately or immediately, the Root and the Spring of moſt of the Calamities that have enſued.

Two Reaſons have been frequently given by Princes for Overſights, or for Willful Breaches, in this important diſpenſation of their Favours. The Firſt, "that ſuch a man can do no harm; when God knows few men have done "more harm than Thoſe who have been thought to be able to do leaſt; and there cannot be a greater error than to believe, a man whom we ſee qualified with too mean parts to do good, to be therefore incapable of doing hurt: there is a ſupply of Malice, of Pride, of Induſtry, and even of Folly, in the Weakeſt, when He ſets his heart upon it, that makes a ſtrange progreſs in Miſchief. The Second, "when Perſons of ordinary faculties, either upon impor-'tunity, or other collateral reſpects, have been introduced There, that it is but 'a place of Honour, and a general teſtimony of the King's affection; and ſo it hath been, as it were reſerv'd, as a preferment for Thoſe, who were fit for 'no other preferment. As amongſt the Jeſuits they have a Rule, That they, who are unapt for greater Studies, ſhall ſtudy caſes of Conſcience. By this means the Number hath been increaſed, which in it ſelf breeds great Inconveniencies; ſince a Leſs number are fitter both for Counſel and Diſpatch, in matters of the greateſt moment that depend upon a quick execution, than a Greater number of men equally honeſt and wiſe: and for That, and other reaſons of Unaptneſs and Incompetency, Committees of dexterous men have been appointed out of the Table to do the buſineſs of it; and ſo men have been no ſooner exalted with the Honourable title, and pleaſed with the obligation of being made Privy-Counſellors, than they have check'd that delight with diſcerning that they were not fully truſted; and ſo have been more incenſed with the Reproachful diſtinction At, than obliged with the Honourable admiſſion To that Board, where they do not find all perſons equally Members. And by this kind of Reſentment, many ſad Inconveniencies have befallen the King; and Thoſe men, Who have had the honour and misfortune of thoſe ſecret truſts.

The truth is, the ſinking and near deſperate condition of Monarchy in this Kingdom can never by buoy'd up, but by a prudent and ſteady Council attending upon the virtue and vivacity of the King; nor be preſerv'd and improved when it is up, but by cheriſhing and preſerving the wiſdom, integrity, dignity and reputation, of that Council: the luſtre whereof always reflects upon the King himſelf; who is not thought a Great Monarch when he follows only his Own Reaſon and Appetite; but when, for the informing his Reaſon, and guiding his Actions, he uſes the ſervice, induſtry, and faculties, of the Wiſeſt men. And though it hath been, and will be, always neceſſary to admit to thoſe Counſels ſome men of great Power, who will not take the pains to improve their great parts; yet the Number of the whole ſhould not be too great; and the Capacities and Qualities of the moſt ſhould be fit for buſineſs; that is, either for Judgement, and Diſpatch; or for One of them at leaſt: and for Integrity above all.

This Digreſſion (much longer than was intended) will not appear very impertinent, when the great diſſervice ſhall appear, which befell the King by the ſwearing thoſe Lords formerly mention'd (I ſpeak but of ſome of them) Privy-Counſellors. For inſtead of exerciſing themſelves in their new Province, and endeavouring to preſerve and vindicate that Juriſdiction; they look'd upon themſelves as preferr'd thither, by their reputation in Parliament, not by the kindneſs and eſteem of the King; and ſo reſolv'd to keep up principally the greatneſs of that Place, to which they thought they ow'd their Own greatneſs. And therefore when the King required the Advice of his Privy-Council, in thoſe matters of the higheſt importance which were then every day incumbent on Him, the new Privy-Counſellors poſitively declared, "that they might not (that "was, that no body might) give his Majeſty any advice in matters depending "in the two Houſes, which was not agreeable to the ſenſe of the two Houſes; "which they call'd his Great Council, by Whoſe wiſdom he was entirely to "guide himſelf. As this doctrine was inſipidly and perniciouſly urged by ſome; ſo it was ſupinely and ſtupidly ſubmitted to by others: inſomuch that the King,

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in a moment found himſelf bereav'd of all Publick aſſiſtance and advice, in a time when he needed it moſt; and his greateſt, and upon the matter his only buſineſs, being prudently to weigh and conſider What to Conſent to, and What to Deny, of ſuch things as ſhould be Propoſed to him by the two Houſes., He was now told, " that He was only to be Adviſed by Them; which was as much as to ſay, that He muſt do whatſoever They deſired of him.

Whereas in truth, it is not only Lawful for the Privy-Council, but their Duty, to give faithfully and freely Their advice to the King upon all matters concluded in Parliament, to which his Royal aſſent is neceſſary, as well as upon any other ſubject whatſoever. Nay, a Privy-Counſellor, as Such, is bound to diſſwade the King from conſenting to that which is Prejudicial to the Crown; at leaſt to make that Prejudice manifeſt to him; though as a private perſon he could wiſh the matter conſented to. And therefore, by the Conſtitution of the Kingdom, and the conſtant practice of Former times, all Bills after they had paſs'd both Houſes, were deliver'd by the Clerk of the Parliament to the Clerk of the Crown; and by him brought to the Attourney-General; who preſented the ſame to the King ſitting in Council; and having read them, declared what Alterations were made by thoſe Bills to former Laws; and what Benefit or Detriment, in Profit or Juriſdiction, would accrew thereby to the Crown: and then upon a full and free debate by his Councellors, the King reſolv'd accordingly upon ſuch bills as were to be enacted into Laws; and reſpited the other that he thought not fit to conſent to. As this hath been the known Practice, ſo the reaſon is very viſible; that the Royal Aſſent being a diſtinct and eſſential part towards the making a Law, there ſhould be as much care taken to inform the Underſtanding and Conſcience of the King upon thoſe occaſions; as Theirs, who prepare the ſame for his Royal Aſſent.

Great licence in Preaching and Printing.

That it might appear that what was done Within the Houſes, was agreeable to thoſe who were Without, and that the ſame Spirit reign'd in Parliament, and People; all poſſible licence was exerciſed in Preaching, and Printing any old Scandalous Pamphlets, and adding New to them againſt the Church: Petitions preſented by many Pariſhioners againſt their Paſtors, with Articles of their Miſdemeanours and Behaviours; moſt whereof conſiſted, " in their Bowing at the name of " *Jeſus*, and obliging the Communicants to come up to the Altar (as They enviouſly call'd it) that is, to the Rails which encloſed the Communion-Table, " to receive " the Sacrament. All which Petitions were read with great delight, and preſently referr'd to the Committee about religion; where Mr. *White* a grave Lawyer, but notoriouſly diſaffected to the Church, ſat in the Chair; and then both Petition and Articles were ſuffer'd to be Printed and Publiſh'd (a licence never practiſed before) that the People might be inflamed againſt the Clergy; who were quickly taught; to call all Thoſe againſt whom ſuch Petitions and Articles were exhibited (which were frequently done by a few of the Rabble, and meaneſt of the People, againſt the ſenſe and judgement of the Pariſh) *the Scandalous Clergy*; which Appellation was frequently applied to men of great Gravity and Learning, and the moſt Unblemiſh'd lives.

The Entry of Pryn, Baſtwick, and Burton, into London.

There cannot be a better Inſtance of the Unruly and Mutinous Spirit of the City of *London*, which was then the Sink of all the ill humours of the Kingdom, than the Triumphant Entry which ſome Perſons at that time made into *London*, who had been before ſeen upon Pillories, and Stigmatized as Libellous and Infamous Offenders: of which *claſſis* of men ſcarce any age can afford the like.

There had been three Perſons of ſeveral Profeſſions ſome years before Cenſured in the Star-Chamber, *William Pryn* a Barreſter of *Lincoln*'s-Inn, *John Baſtwick* a Doctor of Phyſick, and *Henry Burton* a Miniſter and Lecturer of *London*.

The Firſt, not unlearn'd in the Profeſſion of the Law, as far as Learning is acquired by the meer reading of Books; but being a perſon of great Induſtry, had ſpent more time in reading Divinity; and which marr'd that Divinity, in the Converſation of Factious and Hot-headed Divines: and ſo, by a mixture of all three, with the rudeneſs and arrogance of his Own nature, had contracted a Proud and Venemous Diſlike to the diſcipline of the Church of *England*, and ſo by degrees (as the Progreſs is very natural) an equal Irreverence to the Govern-

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ment of the State too; both which he vented in ſeveral abſurd, petulant and ſupercilious Diſcourſes in Print.

The Second, a half-witted, crackbrain'd Fellow, unknown to either Univerſity, or the Colledge of Phyſicians; but one that had ſpent his time abroad, between the Schools and the Camp (for he had been in, or paſs'd through Armies) and had gotten a Doctorſhip, and Latin; with which, in a very flowing ſtyle, with ſome wit and much malice, he Inveigh'd againſt the Prelates of the Church in a Book which he printed in *Holland*, and induſtriouſly diſperſed in *London*, and throughout the Kingdom; having preſumed (as their modeſty is always equal to their Obedience) to Dedicate it *to the Sacred Majeſty of the King*.

The Third, had formerly a kind of relation by Service to the King; having, before he took Orders, waited as Cloſet-keeper, and ſo attended at Canonical hours with the Books of Devotion upon his Majeſty when he was Prince of *Wales*; and a little before the Death of King *James*, took Orders: and ſo his Highneſs coming ſhortly to be King; the vapours of Ambition fuming into his head that he was ſtill to keep his Place, he would not think of leſs than being Clerk of the Cloſet to the new King; which Place his Majeſty conferr'd upon, or rather continu'd in, the Biſhop of *Durham* Doctor *Neyl*, who had long ſerv'd King *James* there. Mr. *Burton* thus diſappointed, and, as He call'd it, deſpoil'd of his Right, would not, in the greatneſs of his heart, ſit down by the affront; but committed two or three ſuch weak, ſawcy Indiſcretions, as cauſed an Inhibition to be ſent him, "that he ſhould not preſume to come any more to Court: and from that time he reſolv'd to revenge himſelf of the Biſhop of *Durham*, upon the whole Order; and ſo turn'd Lecturer and Preach'd againſt them; being indu'd with Malice and Boldneſs, inſtead of Learning and any tolerable Parts.

Theſe Three Perſons having been for ſeveral follies and libelling humours, firſt gently Reprehended; and after, for their Incorrigibleneſs, more ſeverely Cenſured and Impriſon'd; found ſome means in Priſon of Correſpondence, which was not before known to be between them; and to combine themſelves, in a more Peſtilent and Seditious Libel, than they had ever before vented; in which the Honour of the King, Queen, Councellors, and Biſhops, was with equal licence blaſted and traduced; which was faithfully diſperſed by their Proſelytes in the City. The Authors were quickly and eaſily known, and had indeed too much ingenuity to deny it; and were thereupon brought together to the Star-Chamber *ore tenus*; where they behaved themſelves with marvellous Inſolence; with full confidence demanding, "that the Biſhops who ſate in the "Court (being only the Arch-biſhop of *Canterbury*, and the Biſhop of *London*) "might not be preſent, becauſe they were their Enemies, and ſo Parties: which, how ſcandalous and ridiculous ſoever it ſeem'd then There; was good Logick and good Law two years after in *Scotland*, and ſerv'd to baniſh the Biſhops of that Kingdom both from the Council-Table and the Aſſembly. Upon a very patient and ſolemn hearing; In as full a Court as ever I ſaw in that place; without any difference in opinion or diſſenting voice; they were all Three cenſured as Scandalous, Seditious, and Infamous Perſons, "to loſe their Ears in the Pillory, "and to be Impriſon'd in ſeveral Jayls during the King's Pleaſure: all which was executed with Rigour and Severity enough. But yet their itch of Libelling ſtill broke out; and their Friends of the City found a Line of Communication with them. Hereupon the Wiſdom of the State thought fit, that thoſe Infectious Sores, ſhould breath out their Corruption in ſome Air more remote from that catching City, and leſs liable to the contagion: and ſo by an Order of the Lords of the Council, Mr. *Pryn* was ſent to a Caſtle in the Iſland of *Jerſey*; Dr. *Baſtwick* to *Silley*; and Mr. *Burton* to *Guernſey*; where they remain'd unconſider'd, and truly I think unpitied (for they were men of no virtue or merit) for the ſpace of two years, till the beginning of this preſent Parliament.

Shortly upon that, Petitions were preſented by their Wives or Friends, to the Houſe of Commons, expreſſing, "their heavy Cenſures and long Sufferings; and deſiring, by way of Appeal, "that the juſtice and rigour of that Sentence "might be review'd and conſider'd; and that their Perſons might be brought "from thoſe remote and deſolate places to *London*, that ſo they might be "able to facilitate or attend their own buſineſs. The ſending for them out of Priſon (which was the main) took up much conſideration: for though very Many who had no kindneſs, had yet compaſſion for the men; thinking they had ſuffer'd enough; and that though they were ſcurvy Fellows, they had been ſcurvily

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uſed: and Others, had not only affection to their Perſons as having ſuffer'd for a Common cauſe; but were concern'd to revive and improve their uſeful faculties of Libelling and reviling Authority; and to make thoſe ebullitions of their malice not thought noiſom to the State: Yet a Sentence of a ſupreme Court, the Star-chamber (of which they had not Yet ſpoke with Irreverence) was not lightly to be blown off: but, when they were inform'd, and had conſider'd, that by that Sentence the Petitioners were condemn'd to ſome Priſons in *London*; and were afterward removed thence by an Order of the Lords of the Council; they look'd upon that Order as a violation of the Sentence: and ſo made no ſcruple to order "that the Priſoners ſhould be removed from thoſe "forreign Priſons, to the Places to which they were regularly firſt committed. And to that purpoſe, Warrants were ſign'd by the Speaker, to the Governours and Captains of the ſeveral Caſtles' "to bring them in ſafe cuſtody to *London*: which were ſent with all poſſible expedition.

Pryn and *Burton* being Neighbours (though in diſtinct Iſlands) landed at the ſame time at *Southampton*; where they were receiv'd and entertain'd with extraordinary demonſtrations of Affection and Eſteem; attended by a marvellous conflux of Company; and their Charges not only born with great magnificence, but liberal Preſents given to them. And this method and ceremony kept them company all their journey; great herds of People meeting them at their entrance into all Towns; and waiting upon them out with wonderful acclamations of joy. When they came near *London*, multitudes of People of ſeveral conditions, ſome on Horſeback, others on Foot, met them ſome miles from the Town; very many having been a days journey; and they were brought, about two of the Clock in the afternoon, in at *Charing-croſs*, and carried into the City by above ten thouſand perſons, with Boughs and Flowers in their hands; the Common People ſtrewing Flowers and Herbs in the ways as they paſs'd, making great noiſe, and expreſſions of joy for their Deliverance and Return; and in thoſe acclamations, mingling loud and virulent exclamations againſt the Biſhops, "who had ſo cruelly proſecuted ſuch Godly men. In the ſame manner, within five or ſix days after, and in like Triumph, Dr. *Baſtwick* return'd from *Silley*; landing at *Dover*; and from thence bringing the ſame teſtimonies of the Affections and Zeal of *Kent*, as the others had done from *Hampſhire* and *Surrey*; was met before he came to *Southwark* by the good People of *London*, and ſo conducted to his lodging likewiſe in the City.

I ſhould not have waſted thus much time in a diſcourſe of this nature, but that it is, and was Then evident, that this Inſurrection (for it was no better) and Frenzy of the People, was an effect of great Induſtry and Policy, to try and publiſh the Temper of the People; and to ſatisfy themſelves, in the activity and intereſt of their Tribunes, to whom that province of Shewing them was committed. And from this time, the licence of Preaching and Printing increaſed; to that degree, that all Pulpits were freely deliver'd to the Schiſmatical and Silenced Preachers, who till then had lurk'd in corners, or liv'd in *New-England*; and the Preſſes at Liberty for the publiſhing the moſt Invective, Seditious, and Scurrilous Pamphlets, that their Wit and Malice could invent. Whilſt the Miniſters of the State, and Judges of the Law like men in an Extaſy, ſurprized and amazed with ſeveral Apparitions, had no Speech or Motion; as if, having committed ſuch an Exceſs of Juriſdiction (as men upon great Surfeits are enjoin'd for a time to eat nothing) they had been preſcribed to exerciſe no Juriſdiction at all. Whereas without doubt, if either the Privy-Council, or the Judges and the King's learned Council; had aſſumed the courage to have Queſtion'd the Preaching, or the Printing, or the Seditious Riots upon the Triumph of thoſe three Scandalous Men; before the uninterruption and ſecurity had confirm'd the People in all three; it had been no hard matter to have deſtroy'd thoſe Seeds, and pull'd up thoſe Plants, which being neglected, grew up and Proſper'd to a full Harveſt of Rebellion and Treaſon. But this was yet but a rudeneſs and rankneſs Abroad, without any viſible countenance or approbation from the Parliament: all ſeem'd Chaſt within thoſe Walls.

The firſt Malignity that was apparent There (for the Accuſation of the Arch-Biſhop and the Earl of *Strafford*, were look'd upon as Acts of Paſſion; directed againſt particular perſons, who were thought to have deſerv'd ſome extraordinary meaſures and proceeding) was againſt the Church: Firſt, in their Committee for Religion;

gion; which had been aſſumed ever ſince the latter times of King *James*, though ſeldom or never any ſuch thing had Before been heard of in Parliament; where, under pretence of receiving Petitions againſt Clergy-men, they often debated Points, beyond the verge of Their underſtanding: Then, by their chearful reception of a Declaration of many Sheets of Paper, againſt the whole Government of the Church; preſented by ten or a dozen Miniſters, at the Bar and pretended to be ſign'd, by ſeveral hundreds of the Miniſters of *London* and the Countries adjacent: and a Petition, preſented by Alderman *Pennington*, and alledged to be ſubſcribed by twenty thouſand Men, Inhabitants within the City of *London*; who required, in plain terms, " the total Extirpation of Epiſcopacy. Yet the Houſe was Then ſo far from being poſſeſs'd with that Spirit, that the utmoſt that could be obtain'd, upon a long debate upon that Petition, was, " that it ſhould not be rejected; againſt which, the Number of the Petitioners, was urged as a powerful Argument; only it was ſuffer'd to remain in the Hands of the Clerk of the Houſe, with Direction, " that no Copy of it ſhould be given. And for the Miniſters Declaration, one Part only of it, was Inſiſted on by them, and read in the Houſe, which concern'd the exerciſe of Eccleſiaſtical Juriſdiction, and the Exceſs of their Courts: the other parts were Declined by Many of them, and eſpecially Order'd, to be " Seal'd up by the Clerk, that they might be peruſed by no man. So that all that Envy and Animoſity againſt the Church, ſeem'd to be reſolv'd into a deſire, " that a Bill might be framed to remove the Biſhops from their Votes in the Lords " Houſe, and from any Office in Secular Affairs, which was the utmoſt men pretended to wiſh: and to ſuch a purpoſe, a Bill was ſhortly after prepared, and brought into the Houſe; of which, more ſhall be ſaid in its proper place.

A Declaration of ſome Miniſters, and a Petition of ſome Citizens, againſt the Government of the Church by Biſhops.

It was a ſtrange Diſingenuity, that was practiſed in the procuring thoſe Petitions; which continued ever after, in the like Addreſſes. The courſe was, Firſt to prepare a Petition very modeſt and dutiful, for the Form; and for the Matter, not very unreaſonable; and to communicate it at ſome Publick Meeting, where care was taken it ſhould be receiv'd with Approbation: the Subſcription of very Few Hands fill'd the Paper it ſelf, where the Petition was written, and therefore many more Sheets were annex'd, for the reception of the Number, which gave all the credit, and procured all the countenance to the Undertaking. When a Multitude of Hands was procured, the Petition it ſelf was cut off; and a New one framed, ſuitable to the deſign in hand, and annexed to the long liſt of Names which were ſubſcribed to the Former. By this means, Many Men found Their hands Subſcribed to Petitions, of which, They before had never heard. As ſeveral Miniſters, whoſe Hands were to the Petition and Declaration of the *London* Miniſters before mention'd have profeſs'd to many Perſons, " that They never ſaw " That Petition or Declaration before it was preſented to the Houſe; but " had ſign'd Another, the Subſtance of which was, Not to be Compell'd to " take the Oath enjoin'd by the New Canons: and when they found, inſtead of " That, their Names ſet to a deſire of an Alteration of the Government of the " Church, They with much trouble went to Mr. *Marſhall*, with whom they had " intruſted the Petition and their Hands; who gave them no other Anſwer, but " that it was thought fit by Thoſe who underſtood Buſineſs better than They, that " the Latter Petition ſhould rather be preferr'd than the Former. And when He found, they intended by ſome publick act to Vindicate themſelves from that Calumny; Such perſons upon Whom they had their greateſt dependence, were engaged by threats and promiſes to prevail with them, to Sit ſtill, and to paſs by that Indirect Proceeding.

Great Diſingenuity uſed in procuring Petitions.

For the better facillitating and making way for thoſe virulent attempts upon the Church, Petitions and Complaints were exhibited againſt the Exorbitant Acts of ſome Biſhops; eſpecially againſt the Biſhops of *Bath* and *Wells*, and *Ely*; who, they alledged, " had with great Pride and Inſolence, provoked all the Gentry, " and moſt of the Inhabitants within their Dioceſſes. And the New Canons were inſiſted on, " as a moſt palpable Invaſion by the whole Body of the Clergy, upon " the Laws and Liberty of the People.

Complaints againſt ſome particular Biſhops.

And againſt the New Canons.

I ſaid before, that after the Diſſolution of the former Short Parliament the Convocation was continued by ſpecial Warrant from the King; and by his Majeſty, in a ſolemn meſſage ſent to them by Sr. *Harry Vane* then Principal Secretary, " required to proceed in the making of Canons, for the better Peace

and

and Quiet of the Church. Notwithſtanding this Command, the Chief of the Clergy, well knowing the Spirit of Bitterneſs that was contracted againſt them; and many obſolete Pamphlets againſt their Juriſdiction and Power, being ſince the Commotions in *Scotland* revived, and publiſh'd with more freedom, deſired his Majeſty, "that the Opinions of the Judges might be known and declared, Whether "They might then Lawfully Sit, the Parliament being Diſſolv'd, and proceed in "the making of Canons; as likewiſe, upon other particulars in Their Juriſdiction, which had been moſt Inveigh'd againſt?

All the judges of *England*, upon a mature debate, in the preſence of the King's Council, under their Hands aſſerted, "the Power of the Convocation in making "Canons; and thoſe other parts of Juriſdiction, which had been ſo Enviouſly "queſtion'd. Hereupon, They proceeded; and having compoſed a Body of Canons, preſented the ſame to his Majeſty, for his Royal Approbation. They were then again debated at the Council-Board; not without notable Oppoſition: for upon ſome leſſening the Power and Authority of their Chancellors, and their Commiſſaries, by thoſe Canons, the Profeſſors of that Law took themſelves to be Diſobliged; and Sr. *Henry Martin* (who was not likely to overſee any advantages) upon ſeveral days of hearing at the Council-Table, with his utmoſt skill objected againſt them: but in the end, by the entire and unanimous Advice of the Privy-Council, the Canons were confirm'd by the King, under the Great Seal of *England*; and thereby enjoin'd to be obſerv'd. So that whatſoever they were, the Judges were at leaſt as Guilty of the Firſt Preſumption in Framing them; and the Lords of the Council, in Publiſhing and Executing them; as the Biſhops, or the reſt of the Clergy, in either.

Yet the Storm fell wholly on the Church: And the matter of thoſe Canons; and the Manner of making them, was inſiſted on, as a pregnant teſtimony of a Malignant Spirit in the very Function of the Biſhops. The truth is, the ſeaſon in which that Synod continued to Sit (as was obſerv'd before) was in ſo ill a Conjuncture of time (upon the Diſſolution of a Parliament, and almoſt in an Invaſion from *Scotland*) that nothing could have been tranſacted There, of a Popular and Prevailing influence. And then, ſome ſharp Canons againſt Sectaries; and ſome Additionals in point of Ceremonies, countenancing though not enjoining what had not been long practiſed; infinitely inflamed Some, and troubled Others: Who jointly took advantage of what ſtrictly was amiſs; as the making an Oath, the Matter of which was conceiv'd Incongruous; and enjoining it to many of the Laity, as well as the Clergy; and likewiſe the Granting of Subſidies.

Which are condemn'd by the Houſe of Commons.

So that the Houſe of Commons (that is, the major part) made no ſcruple in that Heat, to declare, "that the Convocation-Houſe had no Power at all of making "Canons: notwithſtanding, that it was apparent by the Law, and the uncontradicted Practice of the Church, that Canons had never been otherwiſe made: "and "that thoſe Canons contain'd in them, matter of Sedition and Reproach to the "Regal Power; prejudicial to the Liberty and Property of the Subject; and to "the Priviledges of Parliament. By the extent of which notable Vote and Declaration, they had involv'd almoſt the whole Clergy under the guilt of Arbitrary Proceedings, as much as they had done the Nobility and Gentry before, under their Votes againſt Lords Lieutenants, Deputy Lieutenants, Privy-Counſellors, and Sheriffs; and of which they made the ſame uſe: as ſhall be remembred in its proper place.

Money borrow'd of the City by the two Houſes, for ſupplying the two Armies.

In the mean time, the two Armies were neceſſarily to be provided for, leaſt the Countries where their Quarters were, ſhould come to be oppreſs'd by free quarter; which would not only raiſe a very inconvenient noiſe, but introduce a neceſſity of disbanding the Armies, which They were in no degree ready for: and Money not being to be raiſed ſoon enough in the regular way, by Act of Parliament, which would require ſome time in the paſſing; beſides, that the Manner and Way of raiſing it had not been enough conſider'd; and the Collecting it would require much time, even after an Act of Parliament ſhould be paſs'd: Therefore for the preſent ſupply, it was thought fit to make uſe of their Credit with the City; to whom a formal Embaſſy of Lords and Commons was ſent; which were carefully choſen of Such Perſons, as carried the buſineſs of the Houſe before them, that the performing the Service, might be as well imputed to Their particular reputation and intereſt, as to the affection of the City: and Theſe men in their Orations to the Citizens, undertook "that their Money ſhould be repaid with Intereſt by the Care

" of the Parliament. And this was the firſt Introduction of the publick Faith; which grew afterwards to be applied to all Monſtrous purpoſes.

This Expedient ſucceeded twice or thrice for ſuch Summs as They thought fit to require; which were only enough to carry on their affairs, and keep them in motion; not proportionable to diſcharge the Debt due to the Armies, but to enable them to pay their Quarters: it being fit to keep a conſiderable Debt ſtill owing, leaſt they ſhould appear too ready to be disbanded.

They had likewiſe another Deſign in this Commerce with the City; Which always upon the loan of Money, uſed to recommend ſome ſuch thing to the Parliament, as might advance the Deſigns of the Party; as the Proceeding againſt Delinquents; or " ſome Reformation in the Church: which the Managers knew well what Uſe to make of upon any emergency. When they had ſet this Traffick on foot in the City, and ſo brought their Friends There into more reputation and activity; Then, at Their Election for Common-Council men (which is every year before *Chriſtmas*; and in which, New men had rarely uſed to be choſen, except in caſe of Death, but the Old ſtill continued) all the grave and Subſtantial Citizens were left out; and ſuch choſen, as were moſt eminent for oppoſing the Government, and moſt diſaffected to the Church, though of never ſo mean Eſtates: which made a preſent, viſible alteration, in the Temper of the City (the Common-Conncil having ſo great a ſhare in the management of affairs There) and even in the Government it ſelf.

A new Common-Council of the Party choſen.

Other ways were now to be thought of for getting of Money, which was once at leaſt every Month, call'd for very importunately by the *Scottiſh* Commiſſioners; which cauſed the ſame Proviſion to be made for the *Engliſh* Forces. The next Expedient was, " That in ſo great an Exigence, and for the publick Peace; that the Armies might " not enter into Blood, by the determination of the Ceſſation, which want of " Pay would inevitably produce; The ſeveral Members of the Houſe would lend " Money according to their ſeveral abilities; or that ſuch as had no money, would " become Bound for it: and upon theſe terms enough could be borrow'd. This was no ſooner Propoſed, but Conſented to, by all the eminent Leaders; and by many Others, in order to make themſelves the more acceptable to Thoſe; and ſome did it for their Own convenience, there being little hazard of their Money, and full Intereſt to be receiv'd, and believing it would facilitate the Disbanding of the Armies; to Which, all Sober men's hearts were directed.

And now, to ſupport Their ſtock of Credit, it was time to raiſe Money upon the People by Act of Parliament; which they had an Excuſe for not doing in the uſual way, " of giving it immediately to the King, to be paid into the Exchequer; " becauſe the Publick Faith was ſo deeply engaged to the City for a great Debt; " and ſo many particular Members in the Loan of Moneys, and in being bound for " the Payment of great Summs, for which their Eſtates were liable: and therefore " it was but reaſon, that for their Indemnity, the Money that was to be raiſed, " ſhould be paid into the hands of Particular Members of the Houſe, named by " Them; who ſhould take care to Diſcharge all Publick Engagements. The firſt Bill they paſs'd being but for two Subſidies, which was not ſufficient to diſcharge any conſiderable part of the Money borrow'd, They incerted in the Bill the Commiſſioners Names, who were to Receive and Diſpoſe the Money. And the King made no pauſe in the paſſing it: Himſelf not conſidering the Conſequence of it; and None about him having the Courage to Repreſent it to him.

A Bill paſs'd for raiſing two Subſidies; the Houſe of Commons naming Commiſſioners to receive the Money.

From that time there was no Bill paſs'd for the raiſing of Money, but it was diſpoſed of in the ſame, or the like manner; that none of it could be applied to the King's uſe, or by his direction. And they likewiſe took notice, " that from " the time of his Majeſty's coming to the Crown, He had taken the Cuſtoms and " Impoſitions upon Merchandize as his Own Right, without any Act of Parliament; which, They ſaid, no King had ever before done; inſinuating withall, " that They meant to make a further Enquiry into Thoſe, who had been the " chief Miniſters in that Preſumption. They ſaid, " No body could imagine, but " that they intended to grant the Same to his Majeſty, in the ſame manner, for " His Life, as had been done to his Progenitors by former Parliaments; But, that " they found ſuch an Act could not be Preſently made ready: becauſe the " Book of Rates now in practice (beſides that it had not been made by Lawful " Authority) contain'd many Exceſſes, and muſt be Reform'd in ſeveral particulars; in preparing which, they would uſe all poſſible Diligence, and hoped " to

The ſame method afterwards continued.

" to effect it in a ſhort time; however, that the continuance of the Collection in " the manner it was in, without any Lawful Title, and during the very Sitting " of Parliament, would be a Precedent of a very ill Conſequence; and make the " Right of giving it the more Queſtion'd; at leaſt the leſs Valued. And therefore " it would be fit, that either all the preſent Collection ſhould be diſcontinued, and " ceaſe abſolutely; which was in the Power of the Merchants themſelves to do, " by refuſing to pay any Duties which there was no Law to compel them to: or, " that a ſhort Act ſhould be preſently paſs'd, for the continuance of thoſe Pay- " ments for a ſhort time; againſt the expiration whereof, the Act for granting " them for Life, with the Book of Rates, would be prepared, and ready. There were many Inconveniencies diſcover'd in the Firſt, in diſcontinuing the Collection and Payment of Duties, " which would not be ſo eaſily revived again, and redu- " ced into order: and that the laſt would, without prejudice to Either, both vin- " dicate the right of the Subject, and ſecure the King's Profit: And ſo they pre- pared (with all the expreſſions of Duty and Affection to the King that can be imagin'd) and preſented a Grant of thoſe Duties for ſome few Months. In which there was a preamble, " diſapproving and condemning All That had been done " in That particular, from his Majeſty's firſt coming to the Crown, to that time; " and aſſerting His whole Right to thoſe Payments, to depend upon the Gift of " his Subjects: and concluded with " moſt ſevere Penalties to be inflicted upon " Thoſe, who ſhould preſume hereafter to Collect or Receive them otherwiſe, " than as they were, or ſhould be, granted by Act of Parliament: which had never been in any other Act of Parliament declared: which the King likewiſe paſs'd. So all the Revenue He had to live upon, and to provide him Meat, and which he had reaſon to expect, ſhould have been more certainly continued to him was taken into Their hands; in order to take it from Him too, whenever they ſhould think it convenient to their other Deſigns: of which, he ſhortly after found the miſchief.

Though, as hath been obſerv'd, there was not hitherto one Penny of Money given to the King, or receiv'd by his Miniſters; yet becauſe Subſidies were raiſed upon the People, according to the Formality of Parliaments; and as if all that great Supply had been to the King's own Coffers; It was thought neceſſary, that the People ſhould be refreſh'd with ſome behooveful Law, at the ſame time that they found themſelves charged with the payment of ſo many Subſidies. And under that conſideration, together with the Bill for Subſidies, Another was ſent up to the Lords, for a Triennial Parliament: Both which, quickly paſs'd that Houſe, and were tranſmitted to the King.

A Bill for a Triennial Parliament paſs'd.

In that for the Triennial Parliament (though the ſame was grounded upon two former Statutes in the Time of King *Edward* the Third, " That there ſhould " be Once every year a Parliament) there were ſome clauſes very derogatory to Monarchichal Principles; as " giving the People Authority to Aſſemble together, " if the King fail'd to call them; and the like. Yet his Majeſty, really intending to make thoſe conventions frequent, without any great heſitation, enacted thoſe two Bills together; ſo much to the ſeeming Joy and Satisfaction of Both Houſes, that they pretended " to have ſufficiently provided for the Security of the Com- " mon wealth; and that there remain'd nothing to be done, but ſuch a return of " Duty and Gratitude to the King, as might Teſtify their Devotions; and that " their only end was to make Him glorious: But thoſe Fits of Zeal and Loyalty, never laſted long.

Sr. Edward Littleton *made Lord Keeper.*

The Lord *Finch*'s flight, made not only the Place of Keeper vacant, but begot ſeveral other Vacancies. The Seal was given to *Littleton*, who was then Chief Juſtice of the Common Pleas; for which Place he was excellently fitted: but being a man of a grvae and comely Preſence, his other Parts were over-valued; his Learning in the Law being his Maſter-piece. And he was choſen to be Keeper, upon the opinion and recommendation of the Two great Miniſters under the cloud; who had before brought him to be a Privy-Counſellor, whilſt Chief Juſtice, to the no little jealouſy of the Lord *Finch*.

Banks, the Attourney General, was weary enough of the Inquiſition that was made into the Kings Grants, and glad to be promoted to the Common Pleas: *Herbert*, the Sollicitor General, who had ſate all this time in the Houſe of Commons, aw'd and terrify'd with their Temper; applying himſelf to Mr. *Hambden* and two or three of the Other, without interpoſing or croſſing them in any thing

long'd

long'd infinit ly to be out of that Fire: and ſo the Office of Attourney General, which at any other time had been to be wiſh'd, was now the more grateful, as it removed him from the other attendance: it not being uſual in thoſe times for the Attourney General to be a Member of the Houſe of Commons; and he was call'd by Writ to attend the Houſe of Peers, where he Sits upon the Wooll-Sack at the back of the Judges.

From the time that there was no more Fear of the Arch-Biſhop of *Canterbury*, nor the Lord Lieutenant of *Ireland*, nor of any particular men who were like to ſucceed Them in Favour; All who had been active in the Court, or in any Service for the King, being totally diſpirited, and Moſt of them to be diſpoſed to any ill Offices againſt him; The great Patriots thought they might be able to do their Countrey better Service, if they got the Places and Preferments of the Court for Themſelves, and ſo prevent the Evil Counſels which had uſed to ſpring from thence. For which purpoſe, They had then a faſt Friend there, the Marquis of *Hamilton*; Who could moſt dextrouſly put ſuch an affair into agitation, with the leaſt noiſe, and prepare both King and Queen to hearken to it very willingly: and in a ſhort time all particulars were well adjuſted for every man's accommodation.

Great Offices deſign'd for ſome Heads of the Party.

The Earl of *Bedford* was to be Treaſurer: in order to which, the Biſhop of *London* had already deſired the King " to receive the Staff into His hand, and " give him leave to retire to the ſole care of his Biſhoprick; by which, he wiſely withdrew from the Storm, and enjoy'd the greateſt Tranquillity of any man of the Three Kingdoms, throughout the whole Boiſterous and Deſtroying Time that follow'd; and liv'd to ſee a Happy and Bleſſed End of them, and died in great Honour. And ſo the Treaſury was for the preſent put into Commiſſion. Mr. *Pym* was to be Chancellor of the Exchequer: which Office the Lord *Cottington* was likewiſe ready to ſurrender, upon aſſurance of Indemnity for the future. Theſe Two were engaged to procure the King's Revenue to be liberally provided for, and honourably increaſed and ſettled.

The Biſhop of London *reſigning the Staff, the Treaſury is put into Commiſſion.*

And that this might be the better done, the Earl of *Bedford* prevail'd with the King, upon the Removes mention'd before, to make *Oliver Saint-John* (who hath been often, and will be oftner mention'd in this Diſcourſe) his Sollicitor General; which his Majeſty readily conſented to: hoping, that being a Gentleman of an Honourable Extraction (if he had been Legitimate) he had been very uſeful in the preſent exigence to ſupport His Service in the Houſe of Commons, where his Authority was great; at leaſt, that he would be aſhamed ever to appear in any thing that might prove prejudicial to the Crown. And he became immediately poſſeſs'd of that Office of great truſt; and was ſo well qualified for it, at that time, by his faſt and rooted malignity againſt the Government, that he loſt no credit with his Party, out of any apprehenſion or jealouſy that he would change his Side: and he made good their confidence; not in the leaſt degree abating his malignant Spirit, or diſſembling it; but by the ſame obſtinacy, oppoſed every thing which might advance the King's Service, when he was his Sollicitor, as ever he had done before.

Sr. John *made Sollicitor General.*

The Lord *Say* was to be Maſter of the Wards: which place the Lord *Cottington* was likewiſe to ſurrender for his own quiet and ſecurity. And *Denzill Hollis* was to be Secretary of State, in the place of Secretary *Windebank*.

Thus far the Intrigue for Preferments was entirely complied with: and it is great pity, that it was not fully executed, that the King might have had Some able men to have adviſed or aſſiſted him; which probably Theſe very men would have done, after they had been ſo throughly engaged: whereas the King had none left about him in any Immediate Truſt in buſineſs (for I ſpake not of the Duke of *Richmond*, and ſome very Few men more about his Perſon, who always behaved themſelves Honourably) who either did not Betray, or Sink under the Weight or Reproach of it.

But the Earl of *Bedford* was reſolv'd, that He would not enter into the Treaſury, till the Revenue was in ſome degree ſettled; at leaſt, the Bill for Tonnage and Poundage paſs'd, with all decent circumſtances, and for Life; which both He and Mr. *Pym* did very heartily labour to effect; and had in Their thoughts, Many good Expedients, by which they intended to raiſe the Revenue of the Crown. And none of them were very ſollicitous to take their Promotions before ſome other Accommodations were provided for ſome of the reſt of their chief Companions: who would be neither well pleaſed with Their ſo haſty advance-

advancement before them; nor ſo Submiſſive in the future to follow their dictates.

Hambden was a man they could not leave unprovided for; and therefore there were ſeveral Deſigns, and very far driven, for the Satisfaction and Promotion of Him; and *Eſſex*, and *Kimbolton*, and Others; though not ſo fully conc'uded, as Thoſe before mention'd. For the King's great End, was by theſe Compliances, to ſave the Life of the Earl of *Strafford*; and to preſerve the Church from Ruin: for No body thought the Arch-Biſhop in danger of His life. And there were Few of the Perſons mention'd before, who thought their Preferments would do them much good, if the Earl were ſuffer'd to live; but in that of the Church, the Major Part even of Thoſe Perſons would have been willing to have ſatisfied the King: the rather, becauſe they had no reaſon to think the Two Houſes; or indeed Either of them; could have been induced to have purſued the contrary. And ſo the continued and renew'd violence in the Proſecution of the Earl of *Strafford*, made the King well contented (as the other Reaſons prevail'd with the other Perſons) that the putting of thoſe Promotions in practice, ſhould be for a time ſuſpended.

A Propoſition made for borrowing Money in the City:

When there was a new occaſion, upon the Importunity of the *Scottiſh* Commiſſioners, to procure more Money; and the Leading Men, who uſed to be forward in finding out Expedients for Supply, ſeem'd to deſpair of being able to borrow more; becauſe the City was much troubled and disheartned, to ſee the Work of Reformation proceed ſo ſlowly, and no Delinquents Yet brought to Juſtice; and that till ſome advance was made towards thoſe longed for Ends, there muſt be no expectation of Borrowing more money From, or In the City: At that time, Mr. *Hyde* ſaid in the Houſe, "that He did not believe the thing to be ſo difficult as was pretended; That no man Lent his money, who did not Gain by it; "and that it was evident enough, that there was plenty of Money; and therefore He was confident, if a ſmall Committee of the Houſe were nominated, "who, upon conſultation between themſelves, might uſe the Name of the "Houſe to ſuch Men as were reputed to have money, they might prevail with them "to lend as Much as might ſerve for the preſent Exigence. Whereupon the Houſe willingly approved the motion; and named Him, Mr. *Capel*, Sr. *John Strangeways*, and Five or Six more, whom they deſired might be join'd with them; who the ſame or the next day, repair'd into the City; reſolving to apply themſelves to no men but Such, who were of clear reputation in point of Wiſdom, and Sobriety of Underſtanding, as well as of Wealth and Ability to lend. And after they had ſpoken Together with four or five eminent Men, they agreed to divide themſelves, and to confer Severally with their particular Acquaintances, upon the ſame Subject: Many men chuſing rather to Lend their Money, than to be known to Have it; and being very Wary in their Expreſſions, except in private.

When they had again communicated together, they found that the Borrowing the Money would be very Eaſy; Every man with whom they had conferr'd, being ready and forward to Lend the Money, or to find a Friend, who ſhould, upon Their Security who propoſed it. Moſt of them in their Private Diſcourſe ſaid, "that there was Money enough to be Lent, if men ſaw there would be "like to be an End of Borrowing; but that it was an univerſal Diſcomfort and "Diſcouragement, to all men of Eſtates and Diſcretion, to ſee Two great Armies ſtill kept on foot in the Kingdom, at ſo vaſt a Charge, when there remain'd no fear of a War; and that if a time were once appointed for the "Disbanding them, there ſhould not want Money for the doing all that ſhould "be neceſſary in order to it. This Anſwer ſatisfied Them in all reſpects: and the next day, Mr. *Hyde* reported the Succeſs of their Employment; "that they had "conferr'd with moſt of the Subſtantial, and Beſt Reputed men of the City; "Who, by Themſelves and their Friends, had promiſed to ſupply the Money "which was deſired. And then He enlarged upon "the Temper they underſtood the City to be in, by the reports of Thoſe who might be reaſonably "ſuppoſed to know it beſt; That It was indeed very much troubled and disheartned, to ſee two Armies kept on foot at ſo vaſt a Charge within the "bowels of the Kingdom, when God be thank'd all the danger of a War was "removed; and that they who were very able to make good what they pro-

" m'ſed, had frankly undertaken, That if a peremptory day was appointed for " being rid of thoſe Armies, there ſhould not be want of Money to diſ- " charge them.

The Report was receiv'd with great Applauſe by the Major part of the Houſe; as was reaſonably collected by their Countenance: but it was as apparent, that the Governing Party was exceedingly Perplex'd with it, and knew not on a ſuddain What to ſay to it: If they Embraced the opportunity, to procure a ſupply of Money which was really wanted, it would be too great a Countenance to the Perſons who had procured it; whoſe Reputation they were willing to Depreſs: Beſides, it would imply Their Approbation of what had been ſaid of the Disbanding; at leaſt, would be a ground of often mentioning and preſſing it; and which, how grateful ſoever to Moſt other men, was the thing They moſt abhor'd. After a long Silence, Mr. *Hambden* ſaid, " that the worthy " Gentlemen were to be much Commended for the Pains they had taken; of " which, He doubted not, good Uſe would be made: and ſo propoſed, That it " might be well thought of, and the debate reſumed the next day; which *but diſcouraged and defeated by the Party.* " could not be denied. The next day, Alderman *Pennington* (a man in higheſt confidence with the Party; and one, who inſinuated all things to the Common-Council which he was directed ſhould be ſtarted There) begun the diſcourſe; and ſaid, " that the Gentlemen who had been laſt in the City to borrow Money, " had made a fair Report, but that in the end of it, there was *Colloquintida*: " that He could not find with what Perſons They had conferr'd about the Temper " of the City; nor that any Conſiderable people troubled themſelves with De- " ſigning or Wiſhing what the Parliament ſhould do, which they knew to be " Wiſe enough, to know What, and When they were to do that which was " Beſt for the Kingdom; and they acquieſced in Their grave Judgement: and concluded, " that the Money that the Houſe ſtood in need of, or a greater Sum, was " ready to be paid to whomſoever They ſhould appoint to receive it. The " Houſe made it ſelf very Merry with the Alderman's *Colloquintida*, and call'd upon him " to explain it; and ſo the Debate ended: all Sober men being well Pleaſed to ſee the Diſorder they were in, and the Pains they had taken to Free Themſelves from it; which every day was renew'd upon them, as the ſubject matter afforded occaſion; and they viſibly loſt much of the Reverence, which had been formerly paid them.

A Committee from Ireland, *in order to the Proſecution of the Earl of* Strafford.

About the beginning of *March*, they begun to make Preparations for the Trial of the Earl of *Strafford*; who had then been about Three Months in Priſon under the accuſation of High Treaſon: and by this time, for the better ſupply in this Work, a Committee was come from the Parliament in *Ireland*, to ſollicite Matters concerning that Kingdom. This Committee (moſt of them being Papiſts, and the Principal Actors ſince in the Rebellion) was receiv'd with great kindneſs; and upon the matter added to the Committee for the Proſecution of the Earl of *Strafford*. So that now, *Ireland* ſeem'd no leſs intent upon the Ruin of that unfortunate Lord, than *England* and *Scotland*; there being ſuch a Correſpondence ſettled, between *Weſtminſter* and *Dublin*, that Whatſoever was practiſed in the Houſe of Commons Here, was ſoon after done likewiſe There: and, as Sr. *George Ratcliff* was accuſed Here of High Treaſon, upon pretence of being a Confederate with the Earl in his Treaſons; but in truth that he might not be capable of giving any Evidence on the Behalf of him, and Thereupon ſent for into this Kingdom: So All, or Moſt of the other Perſons, who were in any Truſt with the Earl, and ſo Privy to the Grounds and Reaſons of the Counſels There, and only able to make thoſe apparent, were accuſed by the Houſe of Commons in that Kingdom of High Treaſon; under the general Impeachment, of " endea- " vouring to ſubvert the Fundamental Laws of that Kingdom, and to introduce " an Arbitrary Power: which ſerv'd the turn there, to Secure their Perſons, and to Remove them from Councils, as it had done Here.

What Seeds were then ſown for the Rebellion which within a year after broke out in *Ireland*, by the great Liberty and Favour that Committee found; who, for the good Service againſt that Lord, were hearkned to in all things that concern'd that Kingdom; ſhall be obſerv'd, and ſpoken of at large, hereafter.

Conſiderations touching the Manner of his Trial.

Much time was ſpent in conſideration of the Manner of the Trial; for they could find no Precedent would fit their caſe: " Whether it ſhould be in the Houſe

" Houſe of Peers ? which Room was thought too little, for the Accuſers, Wit-
" neſſes, Judges and Spectators: Who ſhould Proſecute ? Whether Members cho-
" ſen of the Commons, or the King's Council ? Whether the Biſhops (which were twenty four in number, and like to be too tender-hearted in matter of Blood, and ſo either to Convert many, or increaſe a Diſſenting Party too much) " ſhould
" have Voices in the Trial? Whether thoſe who had been created Peers ſince the
" Accuſation was carried up, ſhould be admitted to be Judges? and laſtly, " Whether
" the Commoners who were to be preſent at the Trial, ſhould ſit Uncover'd? and,
" Whether any Members of the Houſe of Commons ſhould be Examin'd at the
" Trial on the behalf of the Earl? who had ſent a Liſt of Names, and deſired an Order to that purpoſe.

After much debate it was agreed, " that the Trial ſhould be in *Weſtminſter*-Hall,
" where Seats ſhould be built for the reception of the whole Houſe of Commons,
" which together with the Speaker ſhould be preſent: for they Then foreſaw, that they might be put to another kind of Proceeding than That they pretended; and (though with much ado) they conſented to ſit uncover'd, leaſt ſuch a little circumſtance might diſturb the whole deſign,

For the Proſecution, they had no mind to truſt the King's Council; who neither knew their Secret Evidence, nor, being inform'd, were like to apply and preſs it, ſo vigorouſly as the buſineſs would require: and therefore, they appointed
" that Committee which had prepared the Charge, to give in the Evidence,
" and in the name of all the Commons of *England*, to Proſecute the Impeach-
" ment.

For the Biſhops: after many bitter Invectives; and remembring the Faults of Particular Perſons; and the Canons which ſeem'd to involve the Whole Body; with ſharpneſs and threats; they took the caſe to be ſo clear upon an old Canon (the only one they acknowledged for Orthodox) that *Clericus non debet intereſſe Sanguini*, that they were content " to refer that to the Houſe of Peers, as proper
" only for their determination. And this they did, not upon any Confidence they had in the Matter it ſelf, whatever Law, or Reaſon, or Canon, they pretended; or in the Lords, the major part of whom, when any difference of opinion was, always diſſented from their deſigns: but that they had a trick of doing their buſineſs by Intimation; and had a ſure Friend amongſt the Biſhops, who had promiſed them ſeaſonably to free them of that trouble.

They would not truſt their Lordſhips own Inclinations with the other point, of the new Barons, which they knew would be controverted; but in plain terms demanded, " that no Peer, created ſince the Day upon which the Earl of *Strafford*
" was Impeach'd of High Treaſon, becauſe They were involv'd as Commoners
" in the making that Accuſation, ſhould ſit as Judges at his Trial.

For the Earl's demand, " of an Order to Examine ſome Members on his Behalf,
" upon matters of fact at his Trial; after a long Debate, they left it only in the Power of the Perſons Themſelves who were nominated, " to be examin'd if they
" would (not without ſome ſmart Animadverſions, " that they ſhould take heed What they did) and refuſed to Enjoin them; though the ſame had been done at Their deſire, for the Lords of the Council: but that was Againſt the Earl, and ſo the leſs to be conſider'd.

The Lords, in the abſence of the Lord Keeper, who was very Sick, made choice of the Earl of *Arundel* to Preſide and Govern the Court; being a perſon notoriouſly diſaffected to the Earl of *Strafford*.

And for the great buſineſs of the Biſhops, they were ſaved the labour of giving any Rule (which it may be would have troubled them) by the Biſhop of *Lincoln*'s ſtanding up, and moving, on the Behalf of Himſelf and his Brethren, " that
" They might be Excuſed from being preſent at the Trial, being Eccleſiaſtical Per-
" ſons, and ſo not to have Their hands in Blood; and ſuch other Reaſons, as, when they are Examin'd, will not be found of of very great weight.

This Biſhop had been, by ſeveral Cenſures in the Star-Chamber, Impriſon'd in the Tower, where he remain'd till after the beginning of this Parliament, and was then ſet at Liberty upon the deſire of the Lords; who knew him to be a mortal and irreconcileable Enemy to the Arch-Biſhop of *Canterbury*: and indeed, he had always been a Puritan ſo far, as to love None of the Biſhops, and to have uſed Many learned Church-men with great Contempt and Inſolence: and yet he left no way unpractiſed, to aſſure the King, " that he would do great matters in Parlia-
" ment

" ment for His Service, if he might be at Liberty. The next day after he came to the Houſe of Peers, the Lord *Say* made that Speech, which he ſince Printed; taking notice " of ſome Imputations laid on him by the Arch-Biſhop of *Canter-*" *bury*, That he ſhould be a Sectary, which no body can doubt, that reads that Speech: Yet he had no ſooner done, than that Biſhop roſe, and made a large Panegyrick in his Praiſe, and profeſs'd, " that he always believ'd his Lordſhip to be as far from a Sectary, as Himſelf. And when he found the great deſire of the Houſe of Commons, to be freed from the Biſhops Votes in that Trial; he never left Terrifying them with the Cenſure that hung over Their heads for making the Canons, till he perſwaded them to Ingratiate themſelves, by deſiring to be excuſed in that matter, before an Order ſhould be made for their Abſence.

This Example of the Biſhops, prevail'd with ſome Lords, who had been created ſince the Accuſation, to quit their Right of Judging; and amongſt them, the Lord *Littleton* (who had been made a Baron upon the deſire of the Earl of *Strafford*, for that only reaſon, that he profeſs'd, " If he were a Peer, he would (and indeed he could) " do Him notable Service) was the Firſt who quitted his Right to Judge, becauſe he had been a Commoner when the Accuſation was firſt brought up: but they who Inſiſted upon their Right (as the Lord *Seymour*, and others) and demanded the Judgement of the Houſe, were no more diſturb'd, but exerciſed the ſame Power to the end, as any of the other Lords did; and ſo, no doubt, might the Biſhops too, if they would: For, though there might be ſome reaſon for Their abſence, when the Trial was according to Law, Before and by his Peers only; Yet, when that Judgement was waved, and a Bill of Attainder brought up againſt him, Their Votes in that Bill were as Neceſſary and Eſſential, as of any Other of the Lords. And it may be, their Unſeaſonable, Voluntary, Unjuſt quitting it Then, made many men leſs ſollicitous for the Defence of their Right Afterwards. But of that in its place.

The Trial began March *the* 22*d*, 1640.

All things being thus prepared, and ſettled; On *Monday*, the Twenty ſecond of *March*, the Earl of *Strafford* was brought to the Bar in *Weſtminſter*-Hall; the Lords ſitting in the Middle of the Hall in their Robes; and the Commoners, and ſome ſtrangers of Quality, with the *Scottiſh* Commiſſioners, and the Committee of *Ireland*, on either Side; there being a cloſe Box made at one End, at a very convenient diſtance for Hearing, in which the King and Queen ſate untaken notice of: His Majeſty, out of Kindneſs and Curioſity, deſiring to hear All that could be alledged: of which, I believe, he afterwards repented himſelf; when " His having been preſent at the Trial, was alledged and urged to him, as an Argument for the paſſing the Bill of Attainder.

The Charge againſt him.

After the Earl's Charge was read, and an Introduction made by Mr. *Pym*, in which he call'd him *the Wicked Earl*; ſome Member of the Houſe of Commons according to Their parts aſſign'd, being a Lawyer, Applied and preſs'd the Evidence, with great licence and ſharpneſs of language; and, when the Earl had made his Defence, Replied with the ſame liberty upon whatſoever he ſaid; taking all occaſions of bitterly Inveighing, againſt his Perſon: which Reproachful way of carriage was look'd upon with ſo much Approbation, that one of the Managers (Mr. *Palmer*) loſt all his Credit and Intereſt with them, and never recover'd it, for uſing a Decency and Modeſty, in his carriage and language towards him; though the Weight of His Arguments preſs'd more upon the Earl than all the Noiſe of the Reſt.

The Trial laſted Eighteen days; in which, " all the Haſty or Proud Expreſſi-" ons, or Words He had utter'd at any time ſince he was firſt made a Privy-Coun-" ſellor; all the acts of Paſſion or Power that he had exerciſed in *Yorkſhire*, " from the time that he was firſt Preſident there; his engaging himſelf in Projects " in *Ireland*, as the Sole making of Flax, and ſelling Tobacco in that Kingdom; " his billetting of Soldiers, and exerciſing of Martial Law there; his extraordinary way " of Proceeding againſt the Lord *Mountnorris*, and the Lord Chancellor *Loftus*; his " aſſuming a Power of Judicature at the Council-Table, to determine Private Inte-" reſts, and matter of Inheritance; ſome rigorous and extrajudicial Determinati-" ons in caſes of Plantations; ſome high Diſcourſes at the Council-Table in *Ire-*" *land*; ſome caſual and light Diſcourſes at his own Table, and at Publick Meetings; " and laſtly, ſome Words ſpoken in ſecret Council in this Kingdom, after the Diſſo-" lution of the laſt Parliament, were urged and preſs'd againſt him, to make good the general Charge, of " an Endeavour to Overthrow the Fundamen-

tal

" tal Government of the Kingdom, and to Introduce an Arbitrary Power.

The Earl behaved himſelf with great ſhew of Humility and Submiſſion; but yet, with ſuch a kind of Courage, as would loſe no advantage; and in truth, made his Defence with all imaginable Dexterity; anſwering this charge, and evading That, with all poſſible Skill and Eloquence: and though he knew not, till he came to the Bar, upon what Parts of his Charge they would proceed againſt him, or what Evidence they would produce, he took very little time to Recollect himſelf, and left nothing unſaid that might make for his own Juſtification. *His defence.*

For the buſineſs of *Ireland*; He complain'd much, " that by an Order from " the Committee which prepared his Charge againſt him, all his Papers in " that Kingdom, by which he ſhould make his Defence, were ſeiz'd and taken " from him; and by virtue of the ſame Order, all his Goods, Houſhold-ſtuff, " Plate, and Tobacco (amounting, as he ſaid, to Eighty Thouſand pounds) " were likewiſe ſeiz'd; ſo that he had not money to ſubſiſt in Priſon: that " all thoſe Miniſters of State in *Ireland*, who were moſt Privy to the Acts " for which he was Queſtion'd, and ſo could give the beſt Evidence and Teſti- " mony on his behalf, were Impriſon'd under the charge of Treaſon. Yet he " averr'd, That he had behaved himſelf in that Kingdom, according to the " Power and Authority granted by his Commiſſion and Inſtructions; and ac- " cording to the Rules and Cuſtoms obſerv'd by former Deputies and Lieute- " nants. That the Monopolies of Flax and Tobacco, had been undertaken by " Him for the Good of that Kingdom, and Benefit of his Majeſty: the Former " eſtabliſhing a moſt beneficial Trade and good Husbandry, not before practiſed " There; and the Latter bringing a Revenue of above Forty Thouſand pounds " to the Crown, and advancing Trade, and bringing no damage to the Sub- " ject. That Billetting of Soldiers (which was alledged to be Treaſon, by a Statute made in *Ireland* in the time of King *Henry* the Sixth) " and the exer- " ciſing of Martial Law, had been always practiſed by the Lieutenants and " Deputies of that Kingdom; which he proved, by the Teſtimony and Con- feſſion of the Earl of *Cork*, and the Lord *Wilmot*; neither of which, deſired to ſay more for his behoof, than inevitably they muſt. He ſaid, " the Act of " Parliament mention'd, of *Henry* the Sixth, concern'd not Him; it compre- " hending only the Inferior Subjects, and making it Penal to Them to billet " Soldiers, not the Deputy, or Supreme Commander; if it did, that it was " Repeal'd by *Poyning*'s Act, in the Eleventh year of *Henry* the Seventh: How- " ever, if it were not, and that it were Treaſon ſtill, it was Treaſon only in " *Ireland*, and not in *England*; and therefore, that he could not be Tried Here " for it, but muſt be tranſmitted Thither. He ſaid, " the Council-Table in *Ireland*, " had a Large, Legal Juriſdiction, by the Inſtitution and Fundamental Cuſtoms " of that Kingdom; and had, in all times Determin'd matters of the Same " nature, which it had done in His time: and that the Proceedings there upon " Plantations, had been with the Advice of the Judges, upon a clear Title of " the Crown, and upon great Reaſon of State: and that the Nature and Diſ- " poſition of that People, required a Severe Hand and Strict Reins to be " held upon them, which being looſed, the Crown would quickly feel the " Miſchief.

For the ſeveral Diſcourſes, and Words, wherewith he was charged; he Denied many, and Explain'd and put a Gloſs upon others, by the reaſons and circumſtances of the Debate. One particular, on which they much inſiſted, though it was ſpoken twelve years before, " that He ſhould ſay in the Publick Hall " in *York*, that the Little Finger of the Prerogative ſhould lie heavier upon " them than the Loins of the Law, he directly Inverted; and proved by two or three Perſons of Credit, " that he ſaid (and the occaſion made it probable, being upon the buſineſs of Knighthood, which was underſtood to be a Legal Tax) " the Little Finger of the Law was heavier than the Loins of the Prerogative; that Impoſition for Knighthood, amounting to a much higher rate, than any Act of the Prerogative which had been exerciſed. " However, he ſaid, " he " hoped no Indiſcretion, or Unskilfulneſs, or Paſſion, or Pride of Words, would " amount to Treaſon; and for Miſdemeanours, he was ready to Submit to " their Juſtice.

He made the leaſt, that is, the worſt Excuſe, for thoſe two Acts againſt the Lord *Mountnorris*, and the Lord Chancellor; which indeed were Powerful Acts, and manifeſted a nature exceſſively Imperious; and no doubt, cauſed a greater Diſlike and Terror, in Sober and Diſpaſſionate Perſons, than All that was alledged againſt him. A Servant of the Earl's, one *Anneſley* (Kinſman to *Mountnorris*) attending on his Lord during ſome Fit of the Gout (of which he often labour'd) had by accident, or negligence, ſuffer'd a Stool to fall upon the Earl's Foot; enraged with the Pain whereof, his Lordſhip with a ſmall Cane ſtruck *Anneſley*: this being merrily ſpoken of at dinner, at a Table where the Lord *Mountnorris* was (I think, the Lord Chancellor's) He ſaid, "the Gentle-"man had a Brother that would not have taken ſuch a Blow. This coming ſome months after to the Deputies hearing, he cauſed a Council of War to be call'd; the Lord *Mountnorris* being an Officer of the Army; where, upon an Article "of moving Sedition, and ſtirring up the Soldiers, againſt the General, He was charged with thoſe Words formerly ſpoken at the Lord Chancellor's Table. What Defence he made, I know not; for he was ſo ſurpriz'd, that he knew not what the matter was, when he was Summon'd to that Council: but the Words being proved, he was deprived of his Office (being then Vice-Treaſurer) and his Foot-Company; committed to Priſon; ſentenced "to loſe his "Head. The Office, and Company, were immediately diſpoſed of; and He impriſon'd, till the King ſent him over a Pardon, by which he was diſcharg'd, with his Life; all the other parts of the Sentence being fully executed.

This ſeem'd to all men a moſt Prodigious courſe of Proceeding; that in a time of full Peace, a Peer of the Kingdom and a Privy-Counſellor; for an Unadviſed, Paſſionate, Myſterious Word (for the Expreſſion was capable of many Interpretations) ſhould be call'd before a Council of War, which could not reaſonably be underſtood to have Then a Juriſdiction over ſuch Perſons, and in ſuch Caſes; and without any Proceſs, or Formality of Defence, in two hours ſhould be Deprived of his Life and Fortune: the Injuſtice whereof, ſeem'd the more formidable, for that the Lord *Mountnorris* was known, for ſome time before, to ſtand in great Jealouſy and Diſfavour with the Earl: which made it look'd on as a pure Act of Revenge; and gave all men warning, how they truſted themſelves in the Territories where He commanded.

The Earl diſcharged Himſelf of the rigour and ſeverity of the Sentence, and laid it upon "the Council of War; where he Himſelf not only forbore to be "Preſent, but would not ſuffer his Brother, who was an Officer of the Army, to Stay there: he ſaid, "he had conjured the Court, to proceed without any "reſpect of favour or kindneſs to Himſelf; and that, aſſoon as He underſtood "the Judgement of the Council, which was Unanimous, he declared publickly "(as he had likewiſe done before) That a hair of his head ſhould not periſh; "and immediately wrote an earneſt Letter to his Majeſty, for the procuring "his Pardon; which was by his Majeſty, upon his Lordſhips recommendation "and mediation, granted accordingly: and thereupon, the Lord *Mountnorris* "was ſet at Liberty: though, it is true, He was, after his enlargement, not "ſuffer'd to come to *England*. He concluded, "that the Lord *Mountnorris* "was an Inſolent perſon; and that he took this courſe to humble him: and "that he would be very well content, that the Same courſe might be taken to "reform Him; if the ſame Care might likewiſe be, that it might prove no more "to His prejudice, than the other had been to that Lord.

But the Standers by, made another Excuſe for him: "The Lord *Mount-"norris* was a man of great Induſtry, Activity, and Experience, in the affairs "of *Ireland*; having raiſed himſelf from a very private mean condition (ha-"ving been an inferior Servant to the Lord *Chicheſter* (to the Degree of a "Viſcount, and a Privy-Counſellor, and to a very ample Revenue in Lands "and Offices; and had always, by Servile Flattery and Sordid Application, "wrought himſelf into Truſt and Nearneſs with all Deputies, at their firſt "entrance upon their Charge, informing them of the Defects and Overſights "of their Predeceſſors; and, after the determination of their Commands, "and return in *England*, informing the State here, and thoſe Enemies they "uſually contracted in that time, of whatſoever they had done, or ſuffer'd to "be done, amiſs; whereby they either ſuffer'd Diſgrace or Damage, aſſoon

as

" as they were recall'd from thoſe Honours. In this manner, He begun with his " own Maſter, the Lord *Chicheſter*; and continued the ſame arts, upon the Lord " *Grandiſon*, and the Lord *Falkland*, who ſucceeded; and upon that Score, pro- " cured Admiſſion and Truſt with the Earl of *Strafford*, upon His firſt admiſſion to " that Government: So that this *Dilemma* ſeem'd unqueſtionable, That either the " Deputy of *Ireland* muſt deſtroy my Lord *Mountnorris*, whilſt he continued in " his Office, or my Lord *Mountnorris* muſt deſtroy the Deputy, aſſoon as his Com- " miſſion was determin'd. And upon this Conſideration; beſides, that his no vir- tue made him unpitied; many look'd with leſs concernedneſs upon that Act, than the matter it Self deſerv'd.

The Caſe of the Lord Chancellor, ſeem'd, to Common Underſtandings, an act of leſs violence, becauſe it concern'd not Life; and had ſome ſhew of Formality at leaſt, if not regularity in the Proceeding; and that which was Amiſs in it, took its growth from a nobler Root than the other. The endeavour was, to com- pel the Lord Chancellor to ſettle more of his Land, and in another manner, upon his eldeſt Son, than he had a mind to, and than he could Legally be compell'd to: This the Earl, upon a Paper Petition preferr'd to him by the Wife of that Son (a Lady, for whom the Earl had ſo great a value and eſteem, that it made his Juſtice the more ſuſpected) preſs'd and in the end order'd him to do. The Chancellor refuſed; was committed to Priſon; and ſhortly after, the Great Seal taken from him, which he had kept with great reputation of Ability for the ſpace of above twen- ty years. In the preſſing this Charge, many things of Levity, as certain Letters of great Affection and Familiarity from the Earl to that Lady, which were found in her Cabinet after her death; others of Paſſion, were expoſed to the publick view: to procure Prejudice rather to his Gravity and Diſcretion, than that they were in any degree Material to the buſineſs.

The Earl ſaid little more to it, than " that he hoped, what Paſſion ſoever, or " what Injuſtice ſoever might be found in that Proceeding, and Sentence, there " would be no Treaſon: and that, for his part, he had yet reaſon to believe, " what he had done was very Juſt; ſince it had been review'd by his Majeſty, " and his Privy-Council here, upon an Appeal from the Lord Viſcount *Ely* (the de- graded Lord Chancellor) " and upon a ſolemn hearing There, which took up ma- " ny days, it had receiv'd a Confirmation.

But the truth is, That rather accuſed the Earl of an Exceſs of Power, than ab- ſolv'd him of Injuſtice; for moſt Men that weigh'd the whole matter, believ'd, it to be a high act of Oppreſſion; and not to be without a mixture of that Policy, which was ſpoken of before in the Caſe of the Lord *Mountnorris*: For the Chan- cellor, being a perſon of great Experience, Subtilty, and Prudence, had been al- ways very Severe to departed Deputies; and not over Agreeable, nor in any degree Submiſs, to Their full Power; and taking himſelf to be the Second Perſon in the Kingdom, during the holding of his Place, thought himſelf little leſs than equal to the Firſt, who could naturally hope but for a term of Years in that Superiority: neither had he ever before met with the leaſt Check, that might make him ſuſpect a Diminution of his Authority, or Intereſt.

That which was with moſt Solemnity and Expectation, alledged againſt the Earl, as the Hinge upon which the treaſon was principally to hang, was a Diſcourſe of the Earl's in the Committee of State (which They call'd *the Cabinet Council)* up- on the Diſſolution of the former Parliament. Sr. *Harry Vane* the Secretary of State, gave in Evidence, " That the King at that time calling that Committee to " him, ask'd them, Since he fail'd of the aſſiſtance and ſupply he expected by Sub- " ſidies, what Courſe he ſhould now take? that the Earl of *Strafford* anſwer'd, " Sir, You have now done your Duty, and your Subjects have fail'd in theirs; " and therefore you are abſolv'd from the Rules of Government, and may ſup- " ply your ſelf by Extraordinary Ways; you muſt proſecute the War vigorouſly; " you have an army in *Ireland*, with which you may reduce this Kingdom.

The Earl of *Northumberland* being Examin'd, for the confirmation of this Proof, remember'd only, " that the Earl had ſaid, You have done your Duty, and are " now abſolv'd from the Rules of Government; but not a word of the Army in *Ireland*, or reducing this Kingdom. The Lord Marquis *Hamilton*, the Lord Bi- ſhop of *London*, and the Lord *Cottington*, being likewiſe Examin'd, anſwer'd upon their Oaths, " that they heard none of thoſe words ſpoken by the Earl. And theſe were the only Perſons preſent at that debate, ſave only the Arch-Biſhop of

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Canterbury, and Secretary *Windebank*, neither of which could be Examin'd, or would be Believ'd.

The Earl positively denied the Words; alledged much Animosity " to be in " Sr. *Harry Vane* towards him; and observ'd, " that not one of the other Wit- " nesses, who were likewise present, and as like to Remember what was spoken, " as the Secretary, heard one word of the *Irish* Army, or reducing this Kingdom: " that if he had spoken those words, it could not be understood to be spoken " of *England*, but of *Scotland*, of which the Discourse was, and for which that " Army was known to be raised. He concluded, " that if the words were spo- " ken by him, which he expresly denied, they were not Treason; and if they were " Treason, that by a Statute made in *Edward* the Sixth's time, one Witness was " not sufficient to prove it, and that here was but one.

The Earl's conclusion of his Defence.

Seventeen days being spent in the whole progress of this Trial; the Earl, having defended himself with wonderful dexterity and ability, concluded, " that if the " whole Charge (in which he hoped he had given their Lordships satisfaction of " his Loyalty and Integrity, how great soever his Infirmities were) was proved, " that the whole made him not guilty of High Treason; and to that purpose desired " that his Learned Council might be heard; and most pathetically conjured their Lordships, " that for Their Own sakes, they would not, out of " Displeasure or Disfavour towards His Person, create a Precedent to the Preju- " dice of the Peerage of *England*, and wound Themselves through his Sides: which was good Counsel; and hath been since (though too late) acknowledged to be so.

His Council heard, as to matter of Law.

The next day, his Council was heard in the same place to the matter of Law. And here I cannot pass by an Instance of as great Animosity, and Indirect Prosecution, in that circumstance of assigning him Counsel, as can be given. After the House of Peers had assigned him such Counsel as he desired, to assist him in matter of Law (which never was, or can justly be denied to the most scandalous Felon, the most inhuman Murtherer, or the most infamous Traitor) the House of Commons, upon some occasion, took notice of it with Passion and Dislike, somewhat unskilfully, " that such a thing should be done without their " consent; which was no more, than that the Judge should be directed by the Prosecutor, in what manner to proceed and determine: Others, with much Bitterness, inveighing against " the Presumption of those Lawyers, that durst be of " Counsel with a Person accused by them of High Treason; and moving, " that " they might be sent for, and proceeded against for that Contempt: Whereas, They were not only Obliged to it, by the Honour and duty of their Profession; but had been punishable for refusing to submit to the Lords Orders. The matter was too Gross to receive any Publick Order, and so the Debate ended; but serv'd (and no doubt that was the Intention) to let those Gentlemen know, how warily they were to demean themselves, least the Anger of that terrible Congregation should be kindled against them.

Mr. Lane's Argument for him

But truly I have not heard that it made any Impression upon those Persons; it did not, I am sure, upon Mr. *Lane*, who argued the matter of Law for the Earl. The Matters which were by him principally Insisted on, and Averr'd with such Confidence as a man uses, who believes himself, were These:

1. " That by the Wisdom and Tenderness of Parliaments, which knew that " there could not be a greater Snare for the Subject, than to leave the nature of " Treason undefined and unlimitted, All Treasons were particularly mention'd and " set down in the Statute of the 25 *Edw.* III. *de Proditionibus*. That nothing is " Treason, but what is comprehended within that Statute; all Treasons before that " Statute, as Killing the King's Unkle, his Nurse, Piracy, and divers others, be- " ing restrain'd and taken away by the Declaration of that Act. And that no Words " or Actions, in any of the Articles of the Earl of *Strafford*'s Charge, did amount " to Treason within that Statute.

2. " That by reason of the Clause in that Statute, of declaring Treason in Parlia- " ment, divers actions were declared to be Treasons in Parliament, in the time of " King *Richard* the Second, to the great Prejudice of the Subject: It was there- " fore specially Provided, and Enacted, by a Statute in the First year of the Reign " of King *Henry* the Fourth, Chapter the Tenth, which is still in force, That no- " thing should be declared and adjudged Treason, but what was ordain'd in that " Statute of the 25 *Edw.* III. by which Statute, all Power of declaring New " Treasons in Parliament, was taken away; and that no Precedent of any Such

" Decla-

" Declaration in Parliament can be ſhew'd ſince that time: All New Treaſons, " made by any Act of Parliament in the Reign of King *Henry* the Eighth, be- " ing by the Statute of the Firſt year of Queen *Mary*, Chapter the Firſt, taken " away, and reſtrain'd to the 25 *Edw.* III. and that likewiſe by another Statute of " the firſt Year of Queen *Mary*, Chapter the Tenth, All Trials of Treaſons " ought to be according to the Rules of the Common Law, and not other- " wiſe.

3. " That the Foundation upon which the Impeachment was framed, was Er- " roneous; for that (beſides that it was confeſs'd on all hands, the Laws of the " Kingdom were Not ſubverted) an Endeavour to Subvert the Fundamental Laws " and Statutes of the Realm, by Force attempted, is not Treaſon, being only " made Felony by the Statute of the Firſt year of Queen *Mary*, Chapter the " Twelfth; which is likewiſe expired. That Cardinal *Wolſey*, in the thirty third " year of King *Henry* the Eighth, was indicted only of a Premunire, for an En- " deavour to bring in the Imperial Laws into this Kingdom. And that an Endeavour, " or Intention, to levy War, was made Treaſon, only by a Statute of the 13th *Eli-* " *zabeth* (a time very Inquiſitive for Treaſon) which expired with Her life.

4. " Laſtly, That if any thing was alledged againſt the Earl which might be " Penal to him, it was not Sufficiently and Legally proved; for that by the Sta- " tute of the Firſt year of King *Edward* the Sixth, Chapter the Twelfth, No Man " ought to be Arraign'd, Indicted, or Condemn'd, of any Treaſon, unleſs it be up- " on the Teſtimony of Two Lawful and Sufficient Witneſſes, produced in the " Preſence of the Party accuſed; unleſs the party Confeſs the ſame: and if it " be for Words, within Three Months after the ſame ſpoken, if the Party be " within the Kingdom. Whereas there was in this Caſe, only One Witneſs, Sr. " *Henry Vane*, and the Words ſpoken Six Months before.

The Caſe being thus ſtated on the Earl's behalf, the Judgement of the Lords, in whom the ſole power of Judicature was conceiv'd to be, was by all men expected; the Houſe of Commons having declared, " that They intended not to " make any Reply to the Argument of Law made by Mr. *Lane*, it being below " their Dignity to contend with a private Lawyer. Indeed they had a more con- vincing way to proceed by, for the next day after that Argument, Sr. *Arthur Haſlerig* (Brother in Law to the Lord *Brook*) an abſurd, bold man, brought up by Mr. *Pym*, and ſo employ'd by that Party to make any attempt, preferr'd a Bill in the Houſe of Commons, " for the Attainder of the Earl of *Strafford* of High Treaſon: it be- ing obſerv'd that by what the Earl had ſaid for himſelf in the matter of fact, and in matter of prudence, of the conſequence of ſuch an extraordinary Proceeding; and by what had been ſaid for him in the point of Law; moſt Sober men, who had been, and ſtill were, full enough of Diſlike and Paſſion againſt the Earl, were not at all ſatisfied in the Juſtice of the Impeachment, or in the Manner of the Proſe- cution: and therefore, that the Houſe of Peers, which conſiſted of near one hundred and twenty, beſides the Biſhops, and of whom Fourſcore had been conſtantly attending the Trial; were not like to take upon Them the Burthen of ſuch a Judgement as was expected.

A Bill of Attainder brought into the Houſe againſt the Earl.

The Bill was receiv'd with wonderful alacrity, and immediately read the firſt and the ſecond time, and ſo Committed: which was not uſual in Parliaments, ex- cept in matters of great concernment and conveniency in the particular; or of little importance or moment in the general. Thoſe who at firſt conſented, upon ſlight information, to his Impeachment, upon no other reaſon, but (as hath been ſaid be- fore) becauſe They were only to Accuſe, and the Lords to Judge, and ſo thought to be troubled no more with it, being Now as ready to Judge, as they had been to accuſe; finding ſome new reaſons to ſatisfy themſelves, of which one was, " They " had gone too far to Sit ſtill or Retire.

A Day or two before the Bill of Attainder was brought into the Houſe of Com- mons, there was a very remarkable Paſſage, of which, the Pretence was, " to make " One Witneſs, with divers Circumſtances as good as Two; though I believe it was directed In truth to an end very forreign to that which was propoſed. The words of the Earl of *Strafford*, by which " his Endeavour to alter the frame of " Government, and his Intention to levy War, ſhould principally appear, were pro- ved Singly by Sr. *Henry Vane*; which had been often averr'd, and promiſed, ſhould be proved by ſeveral Witneſſes; and the Law was clear, " that leſs than " Two Witneſſes ought not to be receiv'd in caſe of Treaſon.

To make this Single Teſtimony appear as Sufficient as if it had been confirm'd by more, Mr. *Pym* inform'd the Houſe of Commons, " of the Grounds upon which " he firſt adviſed that Charge, and was ſatisfied that he ſhould ſufficiently Prove it. " That ſome Months before the beginning of this Parliament, He had viſited young " Sr. *Henry Vane*, eldeſt Son to the Secretary, who was then newly recover'd from " an Ague; that They being together, and condoling the ſad condition of the King- " dom, by reaſon of the many Illegal Taxes and Preſſures, Sr. *Harry* told him, If he " would call upon Him the next day, He would ſhew him ſomewhat that would " give him much trouble, and inform him, What Counſels were like to be " follow'd to the ruin of the Kingdom; for that He had, in peruſal of ſome of " his Father's Papers, accidentally met with the Reſult of the Cabinet " Council upon the Diſſolution of the laſt Parliament, which comprehended the " Reſolutions then taken.

" The next day He ſhew'd him a little Paper of the Secretary's own writing; " in which was contain'd the day of the Month, and the Reſults of ſeveral Diſ- " courſes made by ſeveral Counſellors; with ſeveral Hieroglyphicks, which ſuf- " ficiently expreſs'd the Perſons by whom thoſe Diſcourſes were made. The " matter was of ſo Tranſcendant a Nature, and the Counſel ſo Prodigious, " with reference to the Common-wealth, that he deſired he might take a " Copy of it; which the young Gentleman would by no means Conſent to, " fearing it might prove Prejudicial to his Father. But when Mr. *Pym* in- " form'd him, that it was of extream Conſequence to the Kingdom, and that " a time might probably come, when the Diſcovery of This, might be a So- " veraign means to Preſerve both Church and State, he was contented that " Mr. *Pym* ſhould take a Copy of it; which he did, in the preſence of Sr. " *Henry Vane*; and having examin'd it, together with him, deliver'd the Ori- " ginal again to Sr. *Henry*. That he had carefully kept this Copy by him, " without communicating the ſame to any body, till the beginning of this Par- " liament, which was the time he conceiv'd fit to make uſe of it; and that " then, meeting with many other Inſtances of the Earl's Ill Diſpoſition to the " Kingdom, it ſatisfied him to move whatſoever he had moved, againſt that " great Perſon.

Having ſaid thus much, he read the Paper in his hand; in which the day of the Month was ſet down, and his Majeſty to be preſent, and ſtating the Queſtion to be, " What was now to be done? ſince the Parliament had Refuſed to give " Subſidies for the ſupply of the War againſt *Scotland*. There were then written, two *LL*s and a *t* over, and an *I* and an *r*, which was urged " could " ſignify nothing but *Lord Lieutenant of Ireland*; and the Words written and applied to that Name, were, " Abſolv'd from Rules of Government; ---- Proſe- " cute the War vigorouſly; ---- An Army in *Ireland* to ſubdue this Kingdom ---; which was urged, " to comprehend the matter of the Earl's Speech and Advice: that Paper, by Fractions of words (without mentioning any Form'd Speech) containing only the Reſults of the ſeveral Councellors Advice. Before thoſe Letters which were order'd to ſignify the Lieutenant of *Ireland*, were an *A. B. C. G.* which might be underſtood to ſignify *the Arch-Biſhop of Canterbury his Grace*; and at thoſe Letters, ſome ſhort, ſharp expreſſions againſt Parliaments, and thereupon fierce advice to the King. Next in the Paper, was an *M* with an *r* over, and an *Ho*, which were to be underſtood for Marquis *Hamilton*, who was *Maſter of the Horſe*; and the words annex'd thereunto ſeem'd to be rough, but without a Supplement ſignified nothing. Then there was an *L*, an *H*, and an *A*, which muſt be interpreted *Lord High Admiral*, which was the Earl of *Northumberland*; and from that Hieroglyphick proceeded only a few words, which implied advice to the King, " to be Adviſed by his Parliament. Then there was *Ld Cott.* (which would eaſily be believ'd to ſignify *the Lord Cottington*) with ſome expreſſions as ſharp, as thoſe applied to the Lieutenant of *Ireland*.

When he had read this Paper, he added; " that though there was but One " Witneſs directly in the point, Sr. *Henry Vane* the Secretary, whoſe Hand- " writing that Paper was, whereof this was a Copy; Yet he conceiv'd thoſe " Circumſtances of His; and young Sr. *Henry Vane*'s having Seen thoſe Original " Reſults, and being ready to Swear, that the Paper read by him was a true " Copy of the other; might reaſonably amount to the validity of Another Witneſs:

" Witneſs : and that it was no wonder, that the other perſons mention'd in " that Writing, who had given as bad Counſel, would not remember, for " their Own ſakes, what had paſs'd in that Conference ; and that the Earl of *Nor-* " *thumberland* (who was the only Good Councellor in the pack) had re- " member'd Some of the words, of a high nature, though he had forgotten the " Other.

When Mr. *Pym* had ended, young Sr. *Harry Vane* roſe, in ſome ſeeming Diſorder ; confeſs'd all that the Other had ſaid ; and added, " That his Father " being in the North with the King the Summer before, had ſent up his Keys " to his Secretary, then at *White-Hall* ; and had Written to Him (his Son) " that He ſhould take from him thoſe Keys which open'd his Boxes where " his Writings and Evidences of his Land were, to the end, that he might " cauſe an Aſſurance to be perfected which concern'd his Wife ; and that He " having peruſed thoſe Evidences, and diſpatch'd what depended thereupon, had " the curioſity to ſee what was in a red Velvet Cabinet which ſtood with " the other Boxes ; and thereupon required the Key of that Cabinet from the " Secretary, as if he ſtill wanted ſomewhat towards the buſineſs his Father " had directed ; and ſo having gotten that Key, he found amongſt other " Papers, That mention'd by Mr. *Pym* ; which made that Impreſſion in him, that " he thought himſelf bound in Conſcience to communicate it to ſome Perſon of " better Judgement than himſelf, who might be more able to Prevent the " Miſchiefs that were threatned therein ; and ſo ſhew'd it to Mr. *Pym* ; and being " confirm'd by Him, that the ſeaſonable Diſcovery thereof might do no leſs " than preſerve the Kingdom, had conſented that He ſhould take a Copy " thereof ; which to his knowledge he had faithfully done : and thereupon " had laid the Original in its proper place again, in the red Velvet Cabinet. He ſaid, " He knew this Diſcovery would prove little leſs than his Ruin, in the " good opinion of his Father ; but having been induced by the tenderneſs of his " Conſcience towards his Common Parent his Country, to Treſpaſs againſt his " natural Father, he hoped he ſhould find Compaſſion from that Houſe, though " he had little hopes of Pardon elſewhere.

The Son no ſooner ſate down, than the Father (who, without any counterfeiting, had a natural appearance of Sternneſs) roſe, with a pretty Confuſion ; and ſaid, " That the ground of his Misfortune was Now diſcover'd to him ; that He " had been much amazed, when he found himſelf preſs'd by Such Interrogato- " ries, as made him Suſpect ſome Diſcovery to been made, by ſome Perſon as " converſant in the Counſels as Himſelf : But he was now ſatisfied to Whom " he ow'd his Misfortunes ; in which, He was ſure, the Guilty Perſon ſhould bear " his ſhare. That it was true, being in the North with the King ; and that Un- " fortunate Son of his, having married a Virtuous Gentlewoman (Daughter to " a worthy Member then preſent) to Whom there was ſomewhat in Juſtice and " Honour due, which was not ſufficiently ſettled ; He had ſent his Keys to his " Secretary ; not well knowing in what Box the material Writings lay ; and di- " rected him to ſuffer his Son to look after thoſe Evidences which were ne- " ceſſary : that by this occaſion it ſeem'd, thoſe Papers had been examin'd and " peruſed, which had begot much of this trouble. That for his part, after the " Summons of this Parliament, and the King's return to *London*, he had ac- " quainted his Majeſty, that he had many Papers remaining in his hands, of " ſuch tranſactions as were not like to be of further uſe ; and therefore, if his " Majeſty pleaſed, he would Burn them, leaſt by any accident they might come " into hands that might make an ill uſe of them : to which his Majeſty " conſenting, he had burn'd many ; and amongſt them, the Original Reſults of " thoſe Debates, of which, that which was read was pretended to be a Copy : " that to the Particulars, He could ſay nothing more, than what he had upon " his Examination expreſs'd, which was exactly true, and he would not deny ; " though by what he had heard that afternoon (with which he was ſurpriz'd " and amazed) he found himſelf in an Ill condition upon that Teſtimony.

This Scene was ſo well acted, with ſuch Paſſion and Geſtures, between the Father and the Son, that many Speeches were made in commendation of the Conſcience, Integrity, and Merit, of the Young man, and a motion made " that " the Father might be enjoin'd by the Houſe to be Friends with his Son : but for ſome time there was, in Publick, a great Diſtance obſerv'd between them.

Many

Many men wonder'd very much at the unneceſſary relation of this Story; which would viſibly appear very Ridiculous to the world, and could not but inevitably produce much Scandal and Inconvenience to the Father, and the Son; who were too wiſe to believe, that thoſe Circumſtances would add any thing to the Credit of the former ſingle Teſtimony; neither was there ever after any mention of it in Publick, to move the Judgement of Thoſe, who were concern'd to be Satisfied in what they were to do: and therefore Some who obſerv'd the Stratagems uſed by that Party to compaſs their own private ends, believ'd, that This occaſion was taken to publiſh thoſe Reſults, Only to give the Lord *Cottington* notice in what Danger he was, that ſo he might wiſely quit his Maſterſhip of the Wards to the Lord *Say*; who expected it, and might be able, by that obligation, to Protect him from farther Proſecution: and ſo that they meant to Sacrifice the reputation of the Secretary, to the ambition of the Lord *Say*. But without doubt (though this laſt conſideration was very powerful with them) the true reaſon of the communication of this Paſſage, was, that they found it would be impoſſible to Conceal their having receiv'd the Principal Information from the Secretary, for their Whole Proſecution; by reaſon of ſome of the Committee, who were intruſted to prepare the Charge againſt the Earl of *Strafford*, and conſequently were privy to that Secret, were fallen from them; at leaſt from their Ends; and therefore they thought fit to Publiſh this Hiſtory of the Intelligence, that it might be rather imputed to the Conſcience, and Curioſity of the Son, than to the Malice of the Father.

The Bill paſs'd the Houſe of Commons in few days.

The Bill of Attainder in few days paſs'd the Houſe of Commons; though ſome Lawyers, of great and known Learning, declared, "that there was no "ground or colour in Law, to judge him Guilty of High Treaſon: and the Lord *Digby* (who had been, from the beginning, of that Committee for the Proſecution, and had much more Prejudice, than Kindneſs to the Earl) in a very pathetical Speech declared, "that He could Not give his Conſent to the "Bill; not only, for that he was unſatisfied in the matter of Law, but, for "that he was more unſatisfied in the matter of Fact; thoſe Words, upon "which the Impeachment was principally grounded, being ſo far from being "Proved by Two Witneſſes, that He could not acknowledge it to be by One: "ſince he could not admit Sr. *Harry Vane* to be a competent Witneſs, who "being firſt examin'd, denied that the Earl ſpoke thoſe Words; and at his Se-"cond examination, remember'd Some; and at his Third, the Reſt of the words: and thereupon, related many Circumſtances, and made many ſharp Obſervations upon what had paſs'd; which none but one of the Committee could have done: for which he was preſently after Queſtion'd in the Houſe, but made his Defence ſo well, and ſo much to the Diſadvantage of Thoſe who were concern'd, that from that time, they Proſecuted him with an implacable Rage, and Uncharitableneſs upon all occaſions. The Bill Paſs'd with only Fifty nine Diſſenting Voices, there being near Two Hundred in the Houſe; and was immediately ſent up to the Lords, with this addition, "that the Commons would be ready the next "day in *Weſtminſter* Hall, to give their Lordſhips Satisfaction in the matter "of Law, upon what had paſs'd at the Trial.

Mr. Saint-John *defends it in point of Law before the Lords.*

The Earl was then again brought to the Bar; the Lords ſitting as before, in their Robes; and the Commons as they had done: amonſt Them, Mr. Solicitor *Saint-John*, from his place, argued for the ſpace of near an hour the matter of Law. Of the Argument it ſelf I ſhall ſay little, it being in Print, and in many hands; I ſhall only remember Two notable Propoſitions, which are ſufficient Characters of the Perſon and the Time. Leaſt what had been ſaid on the Earl's behalf, in point of Law, and upon the want of Proof, ſhould have made any Impreſſion in their Lordſhips; He averr'd, "That, in that way of "Bill, Private Satisfaction to each man's Conſcience was ſufficient, although No "Evidence had been given in at all: and as to the preſſing the Law, he ſaid, "It "was true, we give Laws to Hares, and Deer, becauſe they are Beaſts of Chaſe; "but it was never accounted either Cruelty, or Foul Play, to knock Foxes and "Wolves on the head as they can be found, becauſe they are Beaſts of Prey. In a word, the Law and the Humanity were alike; the One being more Fallacious, and the Other more Barbarous, than in any Age had been vented in ſuch an Auditory.

The

The ſame day, as a Better Argument to the Lords ſpeedily to Paſs the Bill, the nine and fifty Members of the Houſe of Commons, who (as is ſaid before) had Diſſented from that Act, had their Names written in pieces of Parchment or Paper, under this Superſcription, STRAFFORDIANS, *or Enemies to their Country*; and thoſe Papers fix'd upon Poſts, and other the moſt viſible places about the City; which was as great and deſtructive a Violation of the Priviledges and Freedom of Parliament, as can be imagin'd: yet being Complain'd of in the Houſe, not the leaſt Countenance was given to the Complaint; or the leaſt Care taken for the Diſcovery.

The names of the Commoners Diſſenting from the Bill, expoſed under the Title of Straffordians.

The Perſons who had ſtill the Conduct of the Deſigns, began to find, that their Friends abroad (of whoſe help they had ſtill great need, for the getting Petitions to be brought to the Houſe; and for all Tumultuous appearances in the City; and Negotiations with the Common Council) were not at all ſatisfied with them, for their want of Zeal in the matter of Religion: and though, they had Branded as many of the Biſhops, and Others of the Prelatical party, as had come in their way; and receiv'd all Petitions againſt the Church, with encouragement: Yet, that there was nothing done, or viſibly in projection to be done, towards Leſſening their Juriſdiction; or Indulging any of that liberty to their Weak Brethren, which They had from the beginning expected from them. Beſides, the diſcourſe of their Ambition, and hopes of Preferment at Court, was grown publick, and raiſed much Jealouſy of them.

But the Truth is, They who had made in their hearts the moſt Deſtructive Vows againſt the Church, never durſt communicate their Bloody Wiſhes to their beſt Friends, whoſe Authority gave Them their greateſt Credit. For beſides, that their Own Clergy, whoſe hands they produced in great numbers, to complain againſt the Innovations, which had (as They ſaid) been introduced; and againſt the Ceremonies, which had been in conſtant practice Since the Reformation, as well as Before; were far from being of One Mind in the Matter or Manner of what they wiſh'd ſhould be Alter'd; as appear'd, whenever they came before the Houſe, or a Committee, when any of them were ask'd Queſtions they did not expect: There was Leſs Conſent amongſt their Lay Friends, in Eccleſiaſtical affairs, than amongſt the other.

The Earl of *Bedford* had no deſire that there ſhould be any Alteration in the Government of the Church; and had always liv'd, towards my Lord of *Canterbury* himſelf, with all Reſpect and Reverence, and frequently viſited and din'd with him; Subſcribed liberally to the Repair of St. *Paul*'s Church, and Seconded all Pious undertakings: though, it is true, he did not diſcountenance notoriouſly, thoſe of the Clergy who were Unconformable.

The Earl of *Eſſex*, was rather Diſpleaſed with the Perſon of the Arch-Biſhop, and ſome other Biſhops, than Indevoted to the Function; and towards ſome of them, he had great Reverence and Kindneſs, as Biſhop *Moreton*, Biſhop *Hall*, and ſome other of the leſs Formal, and more Popular Prelates: and he was as much Devoted as any Man to the Book of Common-Prayer, and obliged all his Servants to be conſtantly preſent with him at it; his Houſhold Chaplain, being always a moſt conformable Man, and a good Scholar.

In truth, in the Houſe of Peers, there were only at that time taken notice of, the Lords *Say* and *Brooke*, as Poſitive Enemies to the Whole Fabrick of the Church, and to deſire a Diſſolution of that Government; the Earl of *Warwick* himſelf, having never diſcover'd any Averſion to Epiſcopacy, and much profeſs'd the Contrary.

In the Houſe of Commons, though of the chief Leaders, *Nathaniel Fiennes*, and young Sr. *Harry Vane*, and ſhortly after Mr. *Hambden* (who had not before own'd it) were believ'd to be for Root and Branch; which grew ſhortly after a common Expreſſion, and Diſcovery of the ſeveral Tempers: Yet, Mr. *Pym* was not of that mind, nor Mr. *Hollis*, nor any of the Northern Men, or thoſe Lawyers who drove on moſt furiouſly with them; All who, were pleaſed with the Government it Self of the Church.

The firſt Deſign that was entertain'd againſt the Church; and which was receiv'd in the Houſe of Commons, with a viſible Countenance and Approbation of many, who were neither of the ſame Principles nor Purpoſes; was a ſhort Bill that was brought in, "to take away the Biſhops Votes in Parliament; "and to leave them out in all Commiſſions of the Peace; or that had re- "lation to any temporal affairs. This was contrived, with great deliberation and Preparation, to diſpoſe men to conſent to it: And to this many of the Houſe of

A Bill paſs'd in the Houſe of Commons to take away the Biſhops Votes in Parliament.

Peers were much diſpoſed; and amongſt Them; none more than the Earl of *Eſſex*, and all the Popular Lords; who obſerv'd, " that they ſeldom carried any " thing, which directly oppoſed the King's Intereſt, by reaſon of the number of " the Biſhops, who, for the moſt part, unanimouſly concurr'd againſt it, and op- " poſed many of their other deſigns: and they believ'd that it could do the Church " no harm, by the Biſhops having fewer Diverſions from their Spiritual " Charges,

In the Houſe of Commons, they uſed That, and other Arguments, to remove the Prejudice from it; and, As there were many who were perſwaded, that the Paſſing that Bill would be no Prejudice; and were as unwilling, that the Biſhops ſhould be Juſtices of the Peace, or in any other Secular Commiſſions, as the Lords were, that they ſhould Sit with them: So they prevail'd with Others, who heartily deſired that there might be no ſuch Diminution of Their Honour and Authority, by perſwading Them, " That there was ſo great a Concurrence towards the Paſſing " this Bill; and ſo great a Combination throughout the Nation againſt the whole " Government of the Church, and a Reſolution to Deſtroy it abſolutely: in " which the *Scots* were ſo reſolutely engaged, that They diſcourſed in all Com- " panies, That it was Impoſſible for a firm Peace to be preſerv'd between the Na- " tions, if Biſhops were not taken away; and that the Army would never march " out of the Kingdom, till that were brought to paſs: But that if this Bill were " once Paſs'd, a greater number in Both Houſes would be ſo well Satisfied, that " the Violenter Party would be never able to proſecute Their Deſigns. And this reaſon, did prevail over many men of excellent Judgements, and unqueſtionable Affections; who did in truth at that time believe, " that the Paſſing this Act, was " the only expedient to preſerve the Church; inſomuch, as when it was brought into the Houſe, it found a better Reception than was expected; and ſome men, who, others thought, would have oppoſed it, ſpoke on its behalf expreſſing their deſire " that it might Paſs.

There was a Difference in Opinion in this Debate, between Two perſons, who had been never known to differ in the Houſe, and the entire Friendſhip they had for each other was very remarkable; which adminiſtred much Pleaſure to very many who loved neither of them. When the Bill was put to the Queſtion, Mr. *Hyde* (who was from the beginning known to be an Enemy to it) ſpoke very earneſtly " for the Throwing it out; ſaid, " It was Changing the whole Frame and Con- " ſtitution of the Kingdom; and of the Parliament it Self: That from the time " that Parliaments begun, there had never been one Parliament, where the Biſhops " were not part of it: That if They were taken out of the Houſe, there would " be but two Eſtates left; for that They as the Clergy were the Third Eſtate, " and being taken away, there was No body left to repreſent the Clergy: which " would introduce Another piece of Injuſtice, which no other part of the King- " dom could complain of, who were All repreſented in Parliament, and were " therefore bound to Submit to all that was Enacted, becauſe it was upon the " matter with their Own conſent: Whereas, if the Biſhops were taken from Sit- " ting in the Houſe of Peers, there was No body who could pretend to repreſent " the Clergy; and yet They muſt be bound by Their determinations.

When he had done; the Lord *Falkland*, who always ſate next to him (which was ſo much taken notice of, that if they came not into the Houſe together, as uſually they did, every body left the place for him that was abſent) ſuddainly ſtood up, and declared himſelf " to be of Another opinion; and that, As he thought the " thing it ſelf to be abſolutely neceſſary for the Benefit of the Church, which was " in ſo great Danger; So he had never heard, that the Conſtitution of the King- " dom would be Violated by the Paſſing that Act; and that He had heard Many of " the Clergy proteſt, That they could Not acknowledge that they were repreſented by " the Biſhops. However we might preſume, That if they could make that ap- " pear, that They were a Third Eſtate, that the Houſe of Peers (amongſt whom " They ſate, and had yet their Votes) would Reject it. And ſo, with ſome Facetiouſneſs, anſwering ſome other particulars, concluded, " for the Paſſing the " Act.

The Houſe was ſo marvellouſly Delighted, to ſee the Two inſeparable Friends Divided in ſo Important a point, that they could not contain from a kind of Rejoycing; and the more, becauſe they ſaw Mr. *Hyde* was much Surprized with the Contradiction; as in truth he was; having never diſcover'd the leaſt Inclination

in

in the Other, towards Such a compliance: and therefore they entertain'd an Imagination, and Hope, that they might work the Lord *Falkland* to a Farther Concurrence with them. But they quickly found themſelves Diſappointed; and that, As there was not the leaſt Interruption of cloſe Friendſhip between the other Two; So, when the ſame Argument came again into Debate, about ſix months after, the Lord *Falkland* Changed his opinion, and gave them all the Oppoſition he could: nor was he reſerv'd in acknowledging, "that he had been "Deceiv'd and by Whom; and confeſs'd to his Friends, with whom he would deal freely, "that Mr. *Hambden* had aſſured him, that if that Bill might Paſs, there "would be nothing More attempted to the Prejudice of the Church: which He thought, as the world Then went, would be no Ill compoſition.

This Bill for taking away the Biſhops Votes out of the Houſe of Peers, produced another Diſcovery, which caſt the Conductors farther Behind, than they were Advanced by their conqueſt amongſt the Commons; and Diſquieted them much more, than the other had Exalted them. How currently ſoever it had paſs'd in the Lower Houſe; when it was brought to the Upper, the Lords gave it not ſo gracious a reception as was expected: Many of the greateſt men of that Houſe, grew Weary of the Empire which the Others had exerciſed over them: and Some, who had gone with them, upon their obſervation that they had Worſe Deſigns than they own'd, fell from them, and took the opportunity to diſcover themſelves, upon the Debate of this Bill; againſt which, they Inveigh'd with great Sharpneſs; and Blamed the Houſe of Commons, "for Preſuming to "meddle with an affair, that ſo immediately concern'd Themſelves: That if they "might ſend up a Bill This day, at Once to take out one whole Bench from the "Houſe, as This would do the Biſhops, they might to Morrow ſend Another, "to take away the Barons, or ſome other degree of the Nobility: with many more Arguments, as the nature of the thing would eaſily adminiſter; with ſuch Warmth, and Vigour, as They had not before expreſs'd: Inſomuch as, though the other Party, which had not hitherto been withſtood, ſet up Their Reſt upon the carrying it; ſupplying their other Arguments with that, "How much the "Houſe of Commons, which beſt knew the temper and expectation of the Na- "tion, would Reſent their Not concurring with them, in a Remedy they judged "ſo neceſſary; and what the Conſequence might be, of ſuch a Breach between "the Two Houſes, they trembled to think; ſince the Kingdom had no hope "of being Preſerv'd, but by their Union, and the effects of their Wiſdom, in "Removing all Things, and all Perſons, out of the way, which were like to Ob- "ſtruct ſuch a through Reformation, as the Kingdom needs and expects; All which, had ſo little effect, that the Houſe could not be prevail'd with ſo much as to Commit the Bill (a countenance, they frequently give to Bills they never intend to paſs) but at the Second reading it, they utterly caſt it out.

The Houſe of Lords Reject the Bill.

This unexpected, and unimagin'd act, caſt ſuch a Damp upon the Spirits of the Governing Party, in both Houſes, that they knew not what to do: the Miſchiefs which were in view, by this diſcovery of the temper of the Houſe of Peers, had no bottom; they were not now ſure, that they ſhould be able to carry any thing; for the major part, which threw out this Bill, might croſs them in any thing they went about: beſides the Influence it would have in the Houſe of Commons, and every where elſe; for they knew very well, how many of their followers Therefore follow'd Them, becauſe they believ'd They would carry all before them.

However, that Their Spirits might not be thought to fail, they made haſt to proceed in all the angry, and cholerick things before them: to the Trial of the Earl of *Strafford*; Impeaching ſeveral Biſhops for Innovations, and the like; the Houſe of Commons, being very diligent, to kindle thoſe Fires which might warm the Peers: and that the Biſhops might ſee how little they had gotten, by obſtructing the other Bill; They prepared a very ſhort Bill, "for the utter "Eradication of Biſhops, Deans, and Chapters; with all Chancellors, Officials, "and all Officers, and other perſons, belonging to Either of them: which they prevail'd with Sr *Edward Deering*, a man very oppoſite to all their deſigns (but a man of levity, and vanity; eaſily flatter'd, by being commended) to Preſent into the Houſe; which he did from the Gallery, with the two Verſes in *Ovid*; the application whereof, was his greateſt motive;

A Bill brought into the Houſe of Commons by Sr. Edward Deering, for Extirpating Biſhops, Deans, and Chapters, &c.

Cuncta prius tentanda, ſed immedicabile vulnus
Enſe recidendum eſt, ne pars ſincera trahatur.

He

He took notice, " of the great Moderation and Candour of the Houſe, in ap-
" plying ſo gentle a Remedy, by the late Bill, to Retrench the Exorbitances of
" the Clergy; hoping, that the pruning and taking off a few Unneceſſary
" Branches from the Trunk, the Tree might proſper the better; that this
" Mortification, might have mended their Conſtitution, and that they would
" have the more carefully intended their health: but that this ſoft Remedy
" had proved ſo Ineffectual, that they were grown more Obſtinate and Incor-
" rigible; So that it was now neceſſary, to put the Ax to the Root of the Tree;
and thereupon deſired, " that the Bill might be read.

As ſoon as the Title of it was read (which was almoſt as long as the Bill it ſelf) it was moved with great warmth, " that the Bill might Not be read:
" That it was againſt the Cuſtom and Rule of the Houſe of Commons, that
" any Private perſon ſhould take upon him (without having firſt obtain'd the
" leave and direction of the Houſe) to bring in a New Act, ſo much as to
" abrogate and aboliſh any Old ſingle Law; and therefore, that it was a won-
" derful Preſumption in that Gentleman, without any communication of his
" purpoſe, or ſo much as a motion that he might do it, to bring in a Bill,
" that overthrew and repeal'd ſo Many Acts of Parliament, and changed and
" confounded the whole Frame of the Government of the Kingdom: and
therefore deſired, " that it might be rejected. The Gentleman, who brought it in, made many Excuſes " for his Ignorance in the cuſtoms of Parliament, having
" never before ſerv'd in any; and acknowledg'd, " that he had never read
" more than the Title of the Bill; and was prevail'd with by his Neighbour
" who ſat next to him (who was Sr. *Arthur Haſlerig*) to deliver it; which
" he ſaw would have been done by ſome body elſe. Though the Rejecting it, was earneſtly urged by very Many; and ought, by the Rules of the Houſe, to have been done; yet, all the Other people, as violently preſs'd the Reading it; and none ſo Importunately, as *Saint-John*, who was at this time the King's Sollicitor (who in truth had drawn it): He ſaid, No body could judge of a
" Bill by the Title, which might be falſe; and this Bill, for ought any one
" knew to the contrary, at leaſt, for ought He and many others knew, might con-
" tain, the Eſtabliſhing the Biſhops, and granting other Immunities to the Church;
" inſtead of purſuing the matter of the Title: and Others, as Ingeniouſly de-
claring, " That our Orders are in our Own power, and to be Alter'd, or Diſ-
" penſed with, as we ſee cauſe. Many out of Curioſity deſiring to hear it read;
and More to ſhew the Lords that they would not abate their mettle; upon Their declaring their pleaſure, the Bill was at laſt Read; and no Queſtion being put, upon the Firſt reading, it was laid by, and not call'd upon in a long time after: many men being really perſwaded, that there was no intention to purſue it; and that it was only brought in, to manifeſt a neglect toward the Lords.

but laid by for that time.

A Vote paſs'd in the Houſe of Commons againſt the Court of York.

The Northern Gentlemen, at leaſt They who were moſt active, and had moſt credit (as *Hotham*, and *Cholmely*, and *Stapleton*) were marvellouſly ſollicitous, to diſpatch the Commitment of the Bill " for taking away the Court of *York*; and having, after great debate, and hearing what all Parties intereſted could offer, gotten the Committee to Vote, " That it was an Illegal Commiſſion, and very
" Prejudicial to the Liberty and the Property of his Majeſty's Subjects of thoſe
" Four Northern Counties, where that Juriſdiction was exerciſed; They call'd upon Mr. *Hyde* (the Chairman) to make the Report: and the Houſe having concurr'd in, and confirm'd, the ſame Vote; they appointed Him " to prepare
" himſelf to deliver the Opinion of the Houſe at a Conference with the Houſe
" of Peers, and to deſire Their Concurrence in it; and that They would there-
" upon be Suitors to the King, that there might be no more Commiſſions of that
" kind granted: for they had a great apprehenſion, that either upon the Earl of *Strafford*'s Reſignation, or his Death (which they reſolv'd ſhould be very ſhort-
ly) they ſhould have a new Preſident put over them.

A Conference with the Lords about it.

Mr. *Hyde*, at the Conference in the Painted Chamber (being appointed by the Houſe to manage it) told the Lords, " That the Four Northern Counties were
" Suitors to their Lordſhips, that They might not be diſtinguiſh'd from the reſt
" of his Majeſty's Subjects, in the adminiſtration of his Juſtice, and receiving the
" Fruits of it; that they Only were left to the Arbitrary Power of a Preſident
" and Council, which every day procured new Authority and Power to oppreſs
" them: He told them, " That till the Thirty firſt year of King *Harry* the

" Eighth

" Eighth, the adminiſtration of Juſtice was the Same in the North, as in the Weſt, " or other parts of the Realm; that about that time, there was ſome Inſurrection " in that Country, which produced great Diſorders and Bloodſhed, which " ſpread it ſelf to the very Borders of *Scotland*: whereupon, that King iſſued " out a Commiſſion to the Arch-Biſhop of *York*, and the principal Gentlemen " of thoſe Counties, and ſome learned Lawyers, to Examine the Grounds of all " thoſe Diſorders, and to proceed againſt the Malefactors with all Severity, ac- " cording to the Laws of the Land. He read the Firſt Commiſſion to them; which appear'd to be no other, than a bare Commiſſion of Oyer and Terminer. " It was found that this Commiſſion did much good, and therefore it was " kept on foot for ſome time longer than ſuch Commiſſions uſe to be; and it " was often renew'd after; but ſtill in the ſame Form, or very little Altera- " tion, till Queen *Elizabeth*'s time; and then There was an Alteration in the " Commiſſion it ſelf; beſides that, it had reference to Inſtructions, which con- " tain'd matters of State upon ſome emergent occaſions: There were more, " and greater Alterations, both in the Commiſſion and Inſtructions, in the time of " King *James*, when the Lord *Scroop* was Preſident; and that, when the Lord " *Strafford* was firſt made Preſident, they were more enlarged; and yet He " had procured new Additions to be made Twice after. The Inſtructions of the Several times were read; and the Alterations obſerv'd; and ſome Pre- cedents, very pertinently urged; in which it appear'd that Great men had been very ſeverely Sentenced, in no leſs Penalty than of a Premunire, for Procuring and Executing ſuch Commiſſions: and He concluded, with " deſiring the Lords " to concur in the ſame Senſe, the Houſe of Commons had expreſs'd them- " ſelves to be of, with reference to the Commiſſion and Inſtructions.

The Speech, and Argument, met with good Approbation in Both Houſes; where He got great Credit by it: and the Earl of *Bath*, who was to Report it, and had no excellent or graceful Pronunciation, came Himſelf to Mr. *Hyde*, and " deſired a Copy of it, that he might not do him wrong in the Houſe, " by the Report; and having receiv'd it, it was Read in the Houſe, and by order Entred, and the Paper it ſelf affix'd to their Journal; where it ſtill remains; and the Houſe of Peers fully concurr'd with the Commons in Their Vote: So that there was not, in many years after, any Attempt, or ſo much as Mention, of another Commiſſion. *The Lords concurr'd with the Commons.*

The Northern men were ſo well pleaſed, that they reſolv'd to move the Houſe, " to give Mr. *Hyde* Publick Thanks for the Service he had done the " Houſe; but the Principal Leaders diverted them from it, by ſaying, " That he " had too Much Credit already, and needed not ſuch an Addition, as He be- " haved himſelf. However, thoſe Northern men Themſelves, continued mar- vellouſly kind; and on his behalf, on all occaſions, oppoſed any Combination of the moſt Powerful of them againſt him; of which ſomewhat will be ſaid hereafter.

The Oppoſition in the Lords Houſe, and the frequent Contradiction in the Houſe of Commons, had allay'd much of the Fury which had ſo much pre- vail'd; and all men impatiently deſired that the Armies might be Diſcharged; when all men believ'd, better quarter would be kept, but no progreſs would be made towards that, till the Earl of *Strafford*'s buſineſs could be diſ- patch'd; the *Scots*, being bound to gratify their *Engliſh* Friends in that parti- cular, as if it were their Own work. They who treated for the Promotions at Court, were ſollicitous to finiſh that; as what would do all the reſt: and the King was as poſitive, not to do any thing towards it, till he might Secure the Life of the Earl of *Strafford*: which being done, He would do any thing. And the Earl of *Bedford*, who had in truth more Authority with the Violent men than any body elſe, labour'd heartily to bring it to paſs.

In the Afternoon of the ſame day (when the Conference had been in the Painted Chamber upon the Court of *York*) Mr. *Hyde* going to a Place call'd *Pickadilly* (which was a fair Houſe for Entertainment, and Gaming, with hand- ſome Gravel-walks with Shade, and where were an upper and lower Bowling- Green, whither very many of the Nobility, and Gentry of the Beſt quality, re- ſorted, both for Exerciſe and Converſation) Aſſoon as ever He came into the ground, the Earl of *Bedford* came to him; and after ſome ſhort Compliments upon what had paſs'd in the morning, told him, " He was glad he was come " thither, for there was a Friend of his in the lower ground, who needed

his counſel. He then lamented " the Miſery the Kingdom was like to fall into, " by their Own Violence, and want of Temper, in the Proſecution of their " own Happineſs. He ſaid, " This buſineſs concerning the Earl of *Strafford*, " was a Rock upon which we ſhould all Split, and that the Paſſion of the " Parliament would Deſtroy the Kingdom. That the King was ready to do all " They could deſire, if the Life of the Earl of *Strafford* might be ſpared: That " his Majeſty was ſatisfied, that He had proceeded with more Paſſion in many " things, than he ought to have done, by which he had render'd himſelf Uſeleſs " to His Service for the future; and therefore He was well content, that he " might be made Incapable of any Employment for the time to come: and that " he ſhould be Baniſh'd, or Impriſon'd for his life, as They ſhould chooſe: That " if they would take his Death upon Them, by their Own Indicatory, He would " not Interpoſe any act of his Own Conſcience: But ſince they had declined " that way, and meant to proceed by an Act of Parliament, to which He him- " ſelf muſt be a Party, that it could not conſiſt with his Conſcience, ever to " give his Royal Aſſent to that Act; becauſe having been preſent at the whole " Trial (as he had been, in a Box provided on purpoſe, *Incognito*, though Con- ſpicuous enough) " and heard all the Teſtimony they had given againſt him, " He had heard nothing Proved, by which he could believe that he was a " Traitor, either in Fact, or in Intention: and therefore his Majeſty did moſt ear- " neſtly deſire, that the two Houſes would not bring him a Bill to Paſs, which " in Conſcience he could not, and would not Conſent to.

The Earl continued; " That though He yet was ſatisfied ſo well in his Own " Conſcience, that he believ'd he ſhould have no Scruple in giving his own " Vote for the Paſſing of it (for it yet depended in the Lords Houſe) " He " knew not how the King could be preſs'd to do an act ſo contrary to his own " Conſcience; and that for His part, He took all the pains he could to Per- " ſwade his Friends, to Decline their violent Proſecution, and to be Content with " the Remedy propoſed by the King; which he thought might be render'd ſo " Secure, that there need remain no Fears of that man's ever appearing again in " Buſineſs: and that how difficult a work ſoever he found it to be, he ſhould " not deſpair of it, if he could perſwade the Earl of *Eſſex* to comply; but that he " found him ſo obſtinate, that he could not in the leaſt degree prevail with him; " that he had left his Brother, the Earl of *Hertford* (who was that day made " a Marquis) in the lower ground, walking with him, who he knew would do " all He could; and he deſired Mr. *Hyde*, to walk down into that place, and " take his turn, to perſwade the Earl of *Eſſex* to what was reaſonable: which He was very willing to do.

He found the Marquis and the Earl walking there together, and no other perſons with them; and as ſoon as they ſaw Him, they Both came to him; and the Marquis, after a ſhort Salutation, departed, and left the other Two together; which he did purpoſely. The Earl begun merrily, in telling Him, " That he " had that morning perform'd a Service, which he knew he did not intend to " do; that by what He had ſaid againſt the Court of *York*, he had revived " Their Indignation againſt the Earl of *Strafford*; So that He now hoped, they " ſhould proceed in their Bill againſt him with Vigour (whereas they had " Slept ſo long upon it) which he ſaid was the Effect, of which he was ſure, " He had no mind to be the Cauſe. Mr. *Hyde* confeſs'd, " he had indeed no " Such purpoſe; and hoped, that ſomewhat he had ſaid might put Other " thoughts into them, to proceed in another manner upon his Crimes; That He " knew well, that the Cauſe of their having ſlept ſo long upon the Bill, was " their Diſagreement upon the point of Treaſon, which the longer they thought " of, would adminiſter the more Difficulties: But that if they declined That, they " ſhould all agree, that there were Crimes and Miſdemeanours evidently enough " Proved, to deſerve ſo Severe a Cenſure, as would abſolutely take away all " Power from the Earl of *Strafford*, that might prove Dangerous to the King- " dom; or Miſchievous to any particular perſon, to whom he was not a " Friend.

He ſhook his head, and anſwer'd, " Stone Dead hath no Fellow: that if he were " judged Guilty in a Premunire, according to the Precedents cited by Him; or " Fined in any other way; and Sentenced to be Impriſon'd during his life; the " King would preſently grant him his Pardon, and his Eſtate, releaſe all Fines,

and

" and would likewiſe give him his Liberty, as ſoon as he had a mind to receive his " Service; which would be aſſoon as the Parliament ſhould be ended. And when Mr. *Hyde* was ready to reply to him; the Earl told him Familiarly, " that He " had been Tired that afternoon upon that Argument, and therefore deſired him to " continue the Diſcourſe no longer Then; aſſuring him, " He would be ready to " Confer with him upon it at any other time.

Shortly after, Mr. *Hyde* took another Opportunity to ſpeak freely with him again concerning it, but found him upon his Guard; and though he heard all the Other would ſay, with great patience, yet he did not at all enlarge in his anſwers, but ſeem'd fix'd in his reſolution: and when he was preſs'd, " how Unjuſtifia- " ble a thing it was, for any man to do any thing which his Conſcience inform'd " him was Sinful; that He knew him ſo well, that if He were not Satisfy'd in " his Own Conſcience, of the Guilt of the Earl of *Strafford*, the King could " never be able to oblige him to give his Vote for that Bill; and therefore He " wonder'd, how he could urge the King, to do an act which he declared to be ſo " Much againſt his Conſcience, that he neither could, nor would, ever give his " Royal Aſſent to that Bill: The Earl anſwer'd more at large, and with ſome com- motion (as if he were in truth poſſeſs'd with that opinion himſelf) " That the " King was obliged in Conſcience, to conform himſelf, and his own Underſtanding, " to the Advice and Conſcience of his Parliament: which was a Doctrine new- ly reſolv'd by their Divines, and of great Uſe to them for the puſſuing their fu- ture Counſels.

Notwithſtanding all this, the Bill had not that warm Reception in the Houſe of Peers, that was expected; but, after the Firſt reading, reſted many days; and be- ing then read the Second time, depended long at the Committee: few men be- lieving, upon conſideration of the Affections and Parts of the ſeveral Lords, that of the Fourſcore, who were preſent at the Trial, above Twenty would ever have Conſented to that Act: Beſides, it was not believ'd, now the Formal Trial and way of Judicature was waved, the Biſhops would ſo Stupidly (to ſay no worſe) Exclude themſelves from Voting in a Law, which was to be an Act of Parliament.

Two Accidents that contributed much towards Paſſing the Bill againſt the Earl of Straf- ford.

But there happen'd about that time Two Accidents, which (though not Then, or it may be Since taken notice of, as of any moment or relation to That buſineſs) contributed ſtrangely to the Paſſing that Bill; and ſo to the Fate of that great Perſon. The Firſt, a Diſcovery of ſome Meetings, and Diſcourſes, between ſome Perſons of near relation to his Majeſty's Service, and ſome Officers of the Army, about the High Proceedings of the Parliament; and of ſome Expedients, that might reduce them to a Better temper; which were no ſooner intimated to ſome of the great Managers, than the whole was form'd and ſhaped, into " a Formidable, and " Bloody deſign againſt the Parliament. The Second, the ſuddain Death of the Earl of *Bedford*. Of Both which, it will be neceſſary to ſay ſomewhat; that it may be obſerv'd, from how little Accidents, and ſmall Circumſtances, by the Art and Induſtry of Thoſe men, the Greateſt Matters have flow'd, towards the Confuſi- on we have Since labour'd under.

The Firſt, a Diſcovery of ſome Correſpon- dences, between the Court and ſome Principal Officers of the Engliſh *Army.*

Some Principal Officers of the Army, who were Members of the Houſe of Com- mons, and had been Careſs'd, both before and after the beginning of the Parliament, by the moſt Popular Agents of both Houſes; and had in truth Contributed more to their Deſigns, than was agreeable to their Duty, and the Truſt repoſed in them by the King; found themſelves Now not ſo Particularly conſider'd as they expect- ed, by that Party and their Credit in other places, and particularly in the Army, to be leſſen'd: for that there was viſibly much more Care taken, for the Supply of the *Scottiſh* Army, than of the King's; inſomuch, that ſometimes money that was aſſign'd and paid for the uſe of the King's Army, was again taken away, and diſpoſed to the Other: and yet, that the Parliament much preſumed and depend- ed, upon their Intereſt in, and Power to diſpoſe, the Affections of that Army.

Therefore to redeem what had been done amiſs, and to ingratiate themſelves in his Majeſty's favour, they bethought themſelves how to diſpoſe, or at leaſt to pre- tend that they would diſpoſe, the Army, to ſome ſuch Expreſſions of Duty and Loyalty towards the King, as might take away all hope from other Men, that it might be be applied to His diſſervice: and to that purpoſe, they had Conference, and Communication, with ſome Servants of a more immediate truſt and relation to Both their Majeſties; through whom they might convey their Intentions and

De-

Devotions to the King, and again receive his Royal Pleaſure, and Direction, How they ſhould demean themſelves. For ought I could ever obſerve, by what was afterwards reported in the Houſe of Commons; or could learn, from Thoſe who were moſt Converſant with all the Secrets of That deſign; there was never the leaſt intention of working farther upon the Affections of the Army, than to preſerve them from being Corrupted, or made uſe of, for the Impoſing Unjuſt and Unreaſonable things upon the King: and all that the King ever ſo much as Conſented ſhould be done by Them, was, that as moſt Counties in *England*, or rather, the Factious and Seditious perſons in moſt Counties, having been induced to Frame and Subſcribe Petitions to the Parliament, againſt the Eſtabliſh'd Government of the Church, with other Clauſes, Scandalous to the Government of the State too; So the Officers of the Army too, ſhould Subſcribe this following Petition; which was brought Ingroſs'd to his Majeſty for his Approbation, before they would preſume to recommend it to any for their Subſcription.

The Petition intended to be Subſcribed by the Officers.

To the King's moſt excellent Majeſty; the Lords Spiritual, and Temporal; the Knights, Citizens, and Burgeſſes now aſſembled in the High Court of Parliament.

" The humble Petition of the Officers and Soldiers of the Army,

" Humbly ſheweth, That although our Wants have been very preſſing, and the Bur-
" then we are become unto theſe Parts (by reaſon of thoſe Wants) very grievous
" unto us; yet ſo have we demean'd our ſelves, that your Majeſty's great and
" weighty Affairs, in this preſent Parliament, have hitherto receiv'd no Interrup-
" tion, by any Complaint, either from us, or againſt us; a Temper not uſual
" in Armies; eſpecially in one Deſtitute not only of Pay, but alſo of Martial
" Diſcipline, and many of its Principal Officers; that we cannot but attribute it to a
" particular Bleſſing of Almighty God, on Our moſt Hearty Affections and Zeal to
" the Common Good, In the happy Succeſs of this Parliament; to which, as we
" ſhould have been ready hourly to contribute our deareſt blood, ſo, now that it
" hath pleaſed God to manifeſt his Bleſſing ſo evidently therein, we cannot but ac-
" knowledge it with thankfulneſs; as likewiſe his great Mercy, in that he hath
" inclined your Majeſty's Royal heart ſo to co-operate with the Wiſdom of the Par-
" liament, as to effect ſo great and happy a Reformation upon the former Diſtempers
" of this Church and Common-wealth: as Firſt, in your Majeſty's gracious conde-
" ſcending to the many important demands of our Neighbours of the *Scottiſh* Nati-
" on; Secondly, in granting ſo free a courſe of Juſtice againſt all Delinquents of
" what quality ſoever; Thirdly, in the removal of all thoſe Grievances, where-
" with the Subjects did conceive either their Liberty of Perſons, Property, or
" Eſtate, or freedom of Conſcience, prejudiced; And laſtly, in the greateſt
" pledge of Security, that ever the Subjects of *England* receiv'd from their So-
" veraign, the Bill of Triennial Parliament.

" Theſe things ſo graciouſly accorded unto by your Majeſty, without bargain or
" compenſation, as they are more than expectation or hope could extend unto,
" ſo now certainly they are ſuch, as all Loyal hearts ought to acquieſce in with
" thankfulneſs; which we do with all humility, and do at this time with as
" much earneſtneſs as any, pray, and wiſh that the Kingdom may be ſettled
" in Peace and Quietneſs, and that all men may, at their own homes, enjoy the
" Bleſſed Fruits of Your Wiſdom and Juſtice.

" But it may pleaſe your Excellent Majeſty, and this High Court of Parliament,
" to give us leave, with grief and anguiſh of heart, to repreſent unto you, that
" we hear that there are certain Perſons, Stirring and Pragmatical, Who, inſtead
" of rendring Glory to God, Thanks to your Majeſty, and Acknowledgement
" to the Parliament, remain yet as Unſatisfied and Mutinous as ever; Who,
" whilſt all the reſt of the Kingdom are arrived even beyond their Wiſhes, are
" daily forging new and unreaſonable Demands; Who, " whilſt all men of
" Reaſon, Loyalty, and Moderation, are thinking how they may provide for
" your Majeſty's honour and Plenty, in return of ſo many Graces to the Sub-
" ject, are ſtill attempting new Diminutions of your Majeſty's juſt Regalities,
" which muſt ever be no leſs dear to all honeſt men, than our own Freedoms;

" In

" In fine, men of ſuch turbulent Spirits, as are ready to Sacrifice the honour " and welfare of the whole Kingdom to their private fancies, whom nothing elſe " than a Subverſion of the whole frame of Government will ſatisfy: far be it " from Our thoughts to believe, that the Violence and Unreaſonableneſs of Such " kind of Perſons, can have any influence upon the Prudence and Juſtice of the " Parliament. But that which begets the Trouble and Diſquiet of Our loyal hearts, " at this preſent, is, that we hear thoſe ill affected Perſons are back'd in their " Violence, by the Multitude and the Power of raiſing Tumults; that Thou- " ſands flock at Their call, and beſet the Parliament, and *Whitehall* it ſelf; " not only to the Prejudice of that Freedom, which is neceſſary to great Coun- " cils and Judicatories, but poſſibly to ſome Perſonal Danger of your Sacred " Majeſty, and the Peers.

" The vaſt Conſequence of theſe Perſons Malignity, and of the Licentiouſneſs of thoſe " Multitudes that follow them, conſider'd, in moſt deep Care and zealous Af- " fection for the Safety of your Sacred Majeſty and the Parliament; Our " Humble Petition is, That in Your Wiſdom, you would be pleaſed to remove " ſuch dangers by Puniſhing the Ringleaders of theſe Tumults, that your Ma- " jeſty and the Parliament may be ſecured from ſuch Inſolences hereafter. For " the Suppreſſing of which, in all Humility We offer our ſelves to wait upon " you (if You pleaſe) hoping we ſhall appear as conſiderable in the way of De- " fence, to our Gracious Soveraign, the Parliament, our Religion, and the Eſta- " bliſh'd Laws of the Kingdom, as what Number ſoever ſhall audaciouſly pre- " ſume to Violate them: So ſhall We, by the Wiſdom of your Majeſty and the " Parliament, not only be Vindicated from Precedent Innovations, but be ſe- " cured from the Future, that are threatned. and likely to produce more " dangerous effects than the former.

" And we ſhall pray, *&c.*

The true matter of fact concerning that Petition.

His Majeſty having read this Petition, and conceiving that the Authority of the Army might ſeem of as great Importance for the good reception of ſo much Reaſon and Juſtice, as the Subſcription of a Rabble had been alledged often to be, for the Countenance of what in truth was Mutinous and Seditious, ſaid, " that he " approved well enough of it, and was content that it might be Subſcribed by the " Officers of the Army, if They deſired it. The Officer who preſented the Draught to his Majeſty, told him, " that very Few of the Army had yet ſeen it; and that " it would be a great Countenance to it, if, when it was carried to the Principal " Officers who were firſt to ſign it, any evidence might be given to them, that " it had paſs'd his Majeſty's Approbation; otherwiſe, they might poſſibly make " Scruple for fear of offending Him. Thereupon, his Majeſty took a Pen, and writ at the bottom of the Petition *C. R.* as a token that he had peruſed and allow'd it: and ſo the Petition was carried down into the Country where the Army lay, and was ſign'd by ſome Officers; but was ſuddainly quaſh'd, and no more heard of, till in the Diſcovery of the pretended Plot: of which more in its place.

The Meetings continuing, between thoſe Officers of the Army, and ſome Servants of his Majeſty's, to the Ends aforeſaid; Others of the Army, who had expreſs'd very briſk reſolutions towards the Service, and were of eminent Command and Authority with the Soldiers, were by ſpecial direction introduced into thoſe Councils (all perſons obliging themſelves by an Oath of Secrecy, not to communicate any thing that ſhould paſs amongſt them) for the better executing what ſhould be agreed.

At the firſt meeting, One of the Perſons that was ſo introduced, after he had heard the calm Propoſitions of the reſt, and that " Their deſign was, only to obſerve " and defend the Laws, that Neither the Arguments of the *Scots*, nor the Repu- " tation of their Army, might compell the King to Conſent to the Alteration of " the Government of the Church, nor to remove the Biſhops out of the Houſe of " Peers, which would, in a great degree, produce an Alteration; or the Power " of any Diſcontented Perſons, by their Tumultuary Petitions, Impoſe upon, or " Diminiſh, the Juſt Legal Power of the King: told them, " Thoſe Reſolutions " would produce very little Effects for his Majeſty's Service; That there was but " One way to do his Majeſty notable Service, which was, by bringing up the Ar-

" my preſently to *London*, which would ſo Aw the Parliament, that they would " do any thing the King commanded. There was not (as I have been credibly inform'd) a man in the company, that did not perfectly abhor (or ſeem'd ſo to do) that odious Propoſition; but contented themſelves with making ſuch Objections againſt it, as render'd it Ridiculous and Unpracticable: and ſo the Meeting for that time, diſſolv'd.

(Col. Goring)

Whether the Perſon that propoſed this deſperate advice, did it only as a Bait, to draw an opinion from other men (for he had a perfect diſlike and malice to ſome of the company) or whether the Diſdain to ſee his Counſel rejected, and the Fear that it might be diſcover'd to his Diſadvantage, wrought upon him, I know not; But the ſame, or the next day, He diſcover'd All, and More than had paſs'd, to ſome of Thoſe who ſeem'd to take moſt care for the Publick; intimated to them, " how He was Startled with the horrour of the deſign, and how Faithfully " He reſolv'd to ſerve the Common-wealth, or to loſe his Life in the attempt: Yet at the ſame time, acted his part at Court, with all poſſible demonſtration of Abhorring the Proceedings of the Parliament, to that degree, that he offer'd, " to undertake with a Crew of Officers and good Fellows (who, he ſaid, were " at His diſpoſal) to Reſcue the Earl of *Strafford* from the Lieutenant of the " Tower, as he ſhould bring him to his Trial, and ſo to enable him to make an " eſcape into Forreign parts.

The Diſcovery being thus made, to the Earl of *Bedford*, the Lord *Say*, and the Lord *Kimbolton*, and no doubt by Them communicated to their chief Aſſociats; as Dangerous as the deſign was Afterwards alledged to be, it was not Publiſh'd in three Months after to the Houſes, againſt Whom the deſign was intended; nor till long after the death of the Earl of *Bedford*: who no doubt, rather deſired to bind up thoſe Wounds which were made, than to make them wider, by entertaining new Jealouſies between King and People; and would not conſent to the extending and extorting Concluſions, which did not naturally flow from the Premiſes; without which, This ſo uſeful a Treaſon to them, could not have been made up.

But as They thought not fit (as I ſaid before) to publiſh this Whole Diſcovery till near three months after, ſo they made extraordinary Uſe of it by Parts, from the Inſtant that they receiv'd the Secret; it being always their cuſtom, when they found the Heat and Diſtemper of the Houſe (which they endeavour'd to keep up, by the ſharp mention and remembrance of former Grievances and Preſſures) in any degree Allay'd, by ſome gracious Act, or gracious Profeſſion of the King's, to warm and inflame them again with a Diſcovery, or Promiſe of a Diſcovery, of ſome notable Plot and Conſpiracy againſt Themſelves, " to Diſſolve the Parlia- " ment by the Papiſts: or ſome other way in which they would be ſure that ſomewhat always ſhould reflect upon the Court. Thus they were ſometimes informing, " of great multitudes of Papiſts gathering together in *Lancaſhire*; then " of Secret Meetings in Caves, and under ground in *Surrey*; Letters from be- " yond Sea, of great Proviſions of Arms making There for the Catholicks of " *England*; and the like; which upon Examination always Vaniſh'd: But for the time (and they were always applied in uſeful articles of Time) ſerv'd to tranſport Common minds with Fears and Apprehenſions, and ſo induced them to comply in ſenſe with Thoſe, who were like ſooneſt to find Remedies for thoſe Diſeaſes which none but themſelves could diſcover. And in this Progreſs, there ſometimes happen'd ſtrange Accidents for the confirmation of their credit.

Whilſt they were full of Clamour againſt the Papiſts, upon the inſtances of ſome Inſolences and Indiſcretions committed by them, during the late intervals of Parliament (and mention'd before) eſpecially upon a great Alacrity expreſs'd, and Contribution raiſing, the year before, for advancing the War with *Scotland*; an Order was made, " that the Juſtices of Peace of *Weſtminſter* ſhould carefully " examine, what Strangers were lodg'd within their Juriſdiction; and that they " ſhould adminiſter the Oaths of Allegiance and Supremacy to all ſuſpected " for Recuſancy, and proceed according to thoſe Statutes. An Afternoon being appointed for that Service, in *Weſtminſter*-Hall, and many Perſons warn'd to appear there, amongſt the reſt one ..... *James* a Papiſt appear'd, and being preſs'd by Mr. *Hayward* a Juſtice of Peace to take the Oaths, ſuddainly drew out his Knife, and Stabb'd him; with ſome Reproachful words, " for Perſecuting poor " Catholicks. This ſtrange, unheard of, Outrage, upon the perſon of a Miniſter of

Juſtice

Juſtice, executing his Office by an Order of Parliament, Startled all men; the old man Sinking with the hurt, though he died not of it. And though, for ought I could ever hear, it proceeded only from the rage of a ſullen Varlet (formerly ſuſpected to be Crazed in his underſtanding) without the leaſt Confederacy or Combination with any other; Yet it was a great Countenance to Thoſe, who were before thought over Apprehenſive and Inquiſitive into Dangers; and made Many believe it rather a Deſign of All the Papiſts of *England*, than a Deſperate Act of One man, who could never have been induced to it, if he had not been promiſed Aſſiſtance by the reſt.

The Ill Uſe made of it in the Houſe of Commons.

The Diſcovery of the Plot concerning the Army, being made about the middle of *April*, which was the end of the Earl of *Strafford*'s Trial, They for the preſent made no farther Uſe of it than might contribute to their Ends in That buſineſs; reſerving the reſt (as was ſaid before) to be applied in more neceſſary ſeaſons: Therefore, about the time that the Bill of Attainder was preferr'd, that no interpoſition from the Court might diſcountenance or hinder that great work, Mr. *Pym* one day inform'd the Houſe of Commons, "That He had "great cauſe to fear, there was at that time as Deſperate a Deſign and Conſpiracy "againſt the Parliament, as had been in any Age; and he was in doubt, Per-"ſons of great Quality and Credit at Court had their hands in it: That ſeveral "Officers had been treated with in *London* to raiſe Men, under pretence that "they ſhould go to *Portugal*; but that the *Portugal* Embaſſadour, being con-"ferr'd with about it, profeſs'd, that He knew nothing of it; and that no perſon "had any authority or promiſe from Him to that purpoſe (And it is true, there had been ſome idle Diſcourſes in a Tavern between ſome Officers, about raiſing men for *Portugal*, which was immediately carried to Mr. *Pym*; as all Tavern and Ordinary diſcourſes were) "That for the preſent, He might not acquaint "them with all Particulars, which might Hinder their further Diſcovery; only "deſired, that a Meſſage might be ſent to the Lords, to deſire them to appoint "a Committee to Examine ſuch Witneſſes as ſhould be produced, for the Diſco-"very of a Plot againſt the Parliament; and that in the mean time, They "would join in a Meſſage to the King, to deſire his Majeſty that he would "not, for ſome few days, grant any Paſs to any of his Servants to go beyond "the Seas; ſaying, that He believ'd ſome men's Conſciences would tempt them "to make an Eſcape, when they heard of this Examination.

Such a Committee was appointed to Examine, and ſuch a Meſſage ſent to his Majeſty, as was deſired. But in the mean time, ſome Perſons who had been at the Tavern, and talk'd of raiſing men for *Portugal*; and Others who had been at the Conference before mention'd, where the Propoſition was for bringing up the Army; finding that what had paſs'd ſo Privately, and amongſt Themſelves, had been Diſcover'd; and was like to paſs a very ſevere Inquiſition, from Them who made Gloſſes and Comments as they pleaſed, upon what other men ſpoke or did; and not knowing how much More than the Truth had been inform'd, or what Interpretation ſhould be made of that which was the Truth; reſolv'd not to truſt themſelves with Such Judges (whoſe formality was firſt to Impriſon, and after, at Their leiſure, to Examine) and ſo fled into *France*.

This was no ſooner known and publiſh'd, than it gave great Credit and Reputation to Mr. *Pym*'s Vigilancy and Activity; for it now appear'd, there was ſome notable Miſchief intended, upon the Diſcovery whereof, ſuch Eminent men were Fled. And in this Diſorder and Trouble of mind, men Fearing according as they were directed, the Bill of Attainder found the eaſier paſſage in the Houſe of Commons.

Having gotten thus much ground; and the Bill then depending (and like long to depend) with the Lords; Mr. *Pym* told them in the Houſe of Commons, "that it appear'd by the Flight of ſuch Conſiderable Perſons, that what He "had before imparted to them was of Moment, and that his Fears were not "groundleſs; that it concern'd their Service, that he ſhould not Yet impart the "whole matter to them, ſince the Danger was prevented, which they ſhould "ſhortly underſtand at large: in the mean time, he did aſſure them, That God "had miraculouſly Preſerv'd them from a moſt Prodigious Conſpiracy, in which "all their Priviledges and Liberties ſhould have been ſwallow'd up: That "though This attempt was Diſappointed, yet he fear'd there might be ſome "New device; and therefore He propoſed, for the better evidence of their Union

and

" and *Unanimity* (which would be the greateſt Diſcouragement to all who " wiſh'd Ill to them) that ſome Proteſtation might be entred into by the " Members of both Houſes, for the Defence of their Priviledges, and the Per- " formance of thoſe Duties to God and the King, which they were obliged to, " as good Chriſtians and good Subjects; and that a Committee might be appointed " ſpeedily, to withdraw and prepare ſuch a Proteſtation.

The Motion was entertain'd with general Approbation; inſomuch as they who were apprehenſive enough of the Ill Deſigns of thoſe who advanced This, and of the Ill Conſequence of ſuch Voluntary Proteſtations, thought fit rather to watch the Matter and Words, than to oppoſe the Thing it ſelf; which, it was evident it was to no purpoſe to do: and therefore they were well contented with the naming Such Perſons for the Committee, as were not like to ſubmit to any Unlawful or Inconvenient obligation. This was urged as of ſuch Conſequence, that the Doors were lock'd, and no Perſons ſuffer'd to go out of the Houſe, till this ſhould be concluded. After a long Debate, theſe Words were agreed upon, and offer'd to the Houſe for the Proteſtation.

Upon this occaſion a Proteſtation is taken by Both Houſes.

" I *A. B.* do, in the preſence of Almighty God, Promiſe, Vow, and Proteſt, to " Maintain and Defend, as far as Lawfully I may, with my Life, Power, and " Eſtate, the true reform'd Proteſtant Religion, expreſs'd in the Doctrine of the " Church of *England*, againſt all Popery and Popiſh Innovations within this " Realm, contrary to the ſame Doctrine; and according to the duty of my " Allegiance, his Majeſty's Royal Perſon, Honour, and Eſtate; as alſo, the " Power and Priviledges of Parliament; the Lawful Rights and Liberties of " the Subject; and every perſon that maketh this Proteſtation, in whatſoever " he ſhall do in the Lawful purſuance of the ſame: And to my power, and as far " as Lawfully I may, I will Oppoſe, and, by all good ways and means, en- " deavour to bring to condign Puniſhment, all Such, as ſhall either by Force, " Practice, Counſels, Plots, Conſpiracies, or otherwiſe, do any thing to the " Contrary of any thing in this preſent Proteſtation contain'd: And further, " that I ſhall, in all juſt and honourable ways, endeavour to Preſerve the " Union and Peace between the three Kingdoms of *England*, *Scotland*, and " *Ireland*; and neither for hope, fear, nor other reſpect, ſhall Relinquiſh this " Promiſe, Vow, and Proteſtation.

This was immediately taken by the Speaker of the Houſe of Commons, and by all the Members then preſent; and ſent up to the Lords, who all likewiſe took the ſame, except the Earl of *Southampton*, and the Lord *Roberts*, who poſitively refuſed it, alledging, " There was no Law that enjoin'd it, and the " Conſequence of ſuch Voluntary Engagements, might produce Effects that were " not then intended: Which without doubt was very wiſely conſider'd; and had not been preſs'd in the Houſe of Commons, for Two reaſons; It being viſibly Impoſſible to Diſſwade the thing, the Houſe being awaken'd by the diſcourſe, mention'd before, of a Plot againſt the Parliament, the poyſon of which, this ſoveraign Antidote was to Expel and Diſcover; But eſpecially, for that well affected perſons, who were jealous of no other deſign than the Alteration of the Government of the Church, thought they had obliged thoſe rigid Reformers from any ſuch Attempt, when They had once Bound themſelves " to " Maintain and Defend the Proteſtant Religion expreſs'd in the Doctrine of the " Church of *England*; there being no other Scheme of the Doctrine of the Church of *England*, than the Thirty nine Articles, of which One is, " to preſerve " the Government of the Church by Biſhops.

Whereas the other Party was abundantly gratified, with having an Oath of Their Own making, to entangle the people (ſo like a Covenant, by which ſuch admirable things had been compaſs'd by their Neighbours) and upon which they could make what Gloſs they pleaſed, when they had occaſion; as they did within two days after: For the Proteſtation being taken on *Monday* the Third of *May*, the *Wedneſday* following, ſome of their own party took occaſion to inform the Houſe, " that it was apprehended by many well affected perſons abroad, " who were of notable and exemplary devotions to the Parliament, That if They " ſhould take that Proteſtation, they ſhould thereby engage themſelves for the " Defence of Biſhops, which in their Conſcience they could not do; and which, they

" they hoped, the Houſe did not intend to oblige them to: Whereupon, without any great oppoſition (the Houſe being thin; and they who were of another opinion, believing this Artifice would, to all ſober men, appear very Ridiculous) this enſuing Order was made.

The Explanation of the Proteſtation, by an Order of the Houſe of Commons.

" Whereas ſome Doubts have been raiſed, by ſeveral Perſons out of this Houſe, " concerning the Meaning of theſe words contain'd in the Proteſtation lately " made by the Members of this Houſe [*viz.* The true reform'd Proteſtant Re- " ligion, expreſs'd in the Doctrine of the Church of *England*, againſt all Po- " pery and Popiſh Innovations within this Realm, contrary to the ſame Do- " ctrine] This Houſe doth declare, That by thoſe words, was and is meant, " only the publick Doctrine profeſs'd in the ſaid Church, ſo far as it is " oppoſite to Popery and Popiſh Innovations; and that the ſaid words are " not to be extended to the maintaining of any Form of Worſhip, Diſcipline, " or Government, nor of any Rights, or Ceremonies, of the ſaid Church of " *England*.

This Explanation being thus procured in the Houſe of Commons, without ever adviſing with the Houſe of Peers (who had likewiſe taken the ſame Proteſtation) and, in truth, ſo contrary to the intentions of Moſt that took it; They order'd, " that the Proteſtation, together with this Explanation, ſhould be Printed " and Publiſh'd; and that the Knights and Burgeſſes ſhould ſend Copies thereof " to the Counties and Burroughs for which they ſerv'd, and that they ſhould " intimate unto the people, with what Willingneſs all the Members of that Houſe " made that Proteſtation; and that they ſhould further ſignify, that as They " did Juſtify the taking it Themſelves, ſo they could not but Approve it in All " ſuch as ſhould take it. Upon which Declaration, the Emiſſaries of their Clergy cauſed the ſame to be taken in *London*, and the Parts adjacent, within very few days after the publiſhing. And for Their better Encouragement (though their Zeal would not attend ſuch Formalities) a Bill was prepared, paſs'd the Houſe of Commons, and was ſent up to the Lords, " to Compel all the Subjects to take that Proteſtation. What the Succeſs of that Bill was; and what Uſe was Afterwards made of this Proteſtation (which was then thought ſo Harmleſs a thing) and particularly, what influence it had upon the buſineſs of the Earl of *Strafford*; ſhall be remembred in its proper place.

A Bill Paſſed there, to Compell all the Subjects to take it.

The other Accident that contributed towards the Bill of Attainder, was the Death of the Earl of Bedford.

The other Accident that fell out during the time that the buſineſs of the Earl of *Strafford* was agitated, and by which he receiv'd much Prejudice, was the Death of the Earl of *Bedford*. This Lord was the greateſt perſon of Intereſt in all the Popular Party, being of the beſt Eſtate, and beſt Underſtanding, of the whole Number; and therefore moſt like to Govern the reſt. He was beſides, of great Civility, and of much more Good Nature than any of the other. And therefore the King reſolving to do his buſineſs with that Party by Him, reſolv'd to make him Lord High Treaſurer of *England*, in the place of the Biſhop of *London*; who was as willing to lay down the Office, as any body was to take it up. And to gratify him the more; at His deſire, intended to make Mr. *Pym* Chancellor of the Exchequer, as he had done Mr. *Saint-John* his Sollicitor General (all which hath been touch'd before) as alſo, that Mr. *Hollis* was to be Secretary of State, the Lord *Say* Maſter of the Wards, and the Lord *Kimbolton* to be Lord Privy Seal after the death of his Father, who then held that place. Others were to be placed about the Prince, and to have Offices when they fell.

The Earl of *Bedford* ſecretly undertook to his Majeſty, that the Earl of *Strafford*'s life ſhould be preſerv'd; and to procure His Revenue to be ſettled, as amply as any of his Progenitors; the which he intended ſo really, that, to My knowledge, he had it in deſign to endeavour to obtain an act for the ſetting up the Exciſe in *England*, as the only natural means to advance the King's profit. He fell Sick, within a week after the Bill of Attainder was ſent up to the Lord's Houſe; and Died ſhortly after, much afflicted with the Paſſion and Fury which he perceiv'd his Party inclined to: inſomuch as he declared to ſome of near truſt with him, " that He fear'd, the Rage and Madneſs of this Parliament, " would bring more Prejudice and Miſchief to the Kingdom, than it had ever " ſuſtain'd by the long Intermiſſion of Parliaments. He was a wiſe man, and would

would have propoſed and adviſed Moderate Courſes; but was not incapable, for want of Reſolution, of being carried into Violent ones, if His Advice were not ſubmitted to: and therefore Many, who knew him well, thought his Death not unſeaſonable, as well to his Fame, as his Fortune; and that it reſcued him as well from ſome poſſible Guilt, as from thoſe viſible Misfortunes, which men of all conditions have Since undergone.

As ſoon as the Earl of *Bedford* was dead, the Lord *Say* (hoping to receive the reward of the Treaſurer-ſhip) ſucceeded him in his undertaking, and faithfully promiſed the King, "that he ſhould not be preſs'd in the matter of the Earl "of *Strafford*'s Life; and under that promiſe got credit enough, to perſwade his Majeſty to whatſoever He ſaid was neceſſary to that buſineſs. And thereupon, when the Bill was depending with the Lords, and when there was little ſuſpicion that it would Paſs, though the Houſe of Commons every day by Meſſages endeavour'd to quicken them, He perſwaded the King "to go to the "Houſe of Peers, and according to cuſtom to ſend for the Houſe of Commons, "and then to declare himſelf, That He could not, with the ſafety of a good "Conſcience, ever give his Conſent to the Bill, that was there depending before "them concerning the Earl of *Strafford*, if it ſhould be brought to him, becauſe "he was not ſatisfied in the point of Treaſon: But He was ſo fully Satisfied that "the Earl was Unfit ever to ſerve Him more, in any condition of Employment, "that He would join with Them in any Act, to make him utterly Incapable of "ever bearing Office, or having any other Employment in any of his Majeſty's "Dominions; which he hoped would Satisfy them.

This Advice, upon the Confidence of the giver, the King reſolv'd to follow: But when his Reſolution was imparted to the Earl. He immediately ſent his Brother to him, beſeeching his Majeſty "by no means to take that way, for "that he was moſt aſſured it would prove very Pernicious to him; and therefore deſired, he might depend upon the Honour and Conſcience of the Peers, without "his Majeſty's Interpoſition. The King told his Brother, "that he had taken "that Reſolution by the Advice of his beſt Friends; but ſince he liked it not, "he would decline it. The next morning the Lord *Say* came again to him, and finding his Majeſty alter'd in his Intention, told him, "If he took that Courſe He "adviſed him, he was ſure it would prevail; but if he declined it, He could not "promiſe his Majeſty what would be the iſſue, and ſhould hold himſelf abſolutely "diſengaged from any undertaking. The King obſerving his Poſitiveneſs, and conceiving his Intentions to be very Sincere, ſuffer'd himſelf to be guided by him; and went immediately to the Houſe, and ſaid as the other had adviſed. Whether that Lord did In truth believe, the diſcovery of his Majeſty's Conſcience in That manner, would produce the effect he foretold; or whether he adviſed it Treacherouſly, to bring on thoſe Inconveniencies which afterwards happen'd; I know not: But Many who believ'd his Will to be much Worſe than his Underſtanding, had the Uncharitableneſs to think, that he intended to Betray his Maſter, and to put the ruin of the Earl out of Queſtion.

The Event proved very Fatal; for the King no ſooner return'd from the Houſe, than the Houſe of Commons, in great Paſſion and Fury, declared this laſt act of his Majeſty's, to be "the moſt unparallel'd Breach of Priviledge, that had ever "happen'd; That if his Majeſty might take notice what Bills were paſſing in either Houſe, and declare his Own opinion, it was to forejudge Their Counſels, and "they ſhould not be able to ſupply the Common-wealth with wholeſome Laws, "ſuitable to the Diſeaſes it labour'd under; That This was the greateſt obſtruction of Juſtice, that could be imagin'd; That They and whoſoever had taken "the late Proteſtation, were bound to maintain the Priviledges of Parliament, "which were now too groſsly Invaded and Violated: with many ſharp Diſcourſes "to that purpoſe.

Tumults about the Houſe of Peers. The next day great multitudes of People came down to *Weſtminſter*, and crowded about the Houſe of Peers, exclaiming with great Outcries, "that "they would have Juſtice; and publickly reading the Names of thoſe who had diſſented from that Bill in the Houſe of Commons, as Enemies to their Country; and as any Lord paſs'd by, call'd *Juſtice*, *Juſtice*; and with great Rudeneſs and Inſolence, preſſing upon, and thruſting, thoſe Lords whom they ſuſpected not to favour that Bill; profeſſing aloud, "That they would be govern'd and diſpoſed "by the Honourable Houſe of Commons, and would defend their Priviledges "accor

" according to their late Proteſtation. Theſe unheard of acts of Inſolence and Sedition continued ſo many days, till many Lords grew ſo really apprehenſive of having their Brains beaten out, that they abſented themſelves from the Houſe; and Others, finding what Seconds the Houſe of Commons was like to have to compaſs whatever they deſired, changed their minds; and ſo in an afternoon, when of the Fourſcore who had been preſent at the Trial, there were only ſix and forty Lords in the Houſe (the good People ſtill crying at the doors for Juſtice) they put the Bill to the queſtion, and Eleven Lords only diſſenting, it Paſs'd that Houſe, and was ready for the King's aſſent.

The Bill of Attainder Paſs'd the Houſe of Lords.

The King continued as Reſolv'd as ever, Not to give his conſent. The ſame Oratory then attended Him at *White-Hall*, which had prevail'd at *Weſtminſter*; and a Rabble of many Thouſand people beſieged that place, crying out, *Juſtice, Juſtice*; *that they would have Juſtice*; not without great and inſolent Threats and Expreſſions, what They would do, if it were not ſpeedily granted. The Privy-Council was call'd together, to adviſe what courſe was to be taken to Suppreſs theſe Traiterous Riots. Inſtead of conſidering how to Reſcue their Maſter's Honour and his Conſcience from this Infamous Violence and Conſtraint, They preſs the King to Paſs the Bill of Attainder, ſaying, " there was no other way to " preſerve Himſelf and his Poſterity than by ſo doing; and therefore that He " ought to be more tender of the Safety of the Kingdom, than of any One perſon " how Innocent ſoever: not one Councellor interpoſing his opinion, to ſupport his Maſter's Magnanimity and Innocence. They who were of that mind, either Suppreſſing their Thoughts through Fear, upon the new Doctrine eſtabliſh'd then by the new Councellors, " that no man ought to preſume to adviſe any thing " in That place, contrary to the ſenſe of Both Houſes; Others ſadly believing, the Force and Violence offer'd to the King, would be, before God and man, a Juſt Excuſe for whatſoever he ſhould do.

Tumults about White-Hall.

The Privy-Council and ſome of the Biſhops adviſe the King to Paſs the Bill.

His Majeſty told them, " that what had been propoſed to him to do, was di- " rectly contrary to his Conſcience, and that being ſo, he was ſure they would not " perſwade him to it, though Themſelves were never ſo well ſatisfied. To that point, they deſired him " to conſer with his Biſhops, who, they made no queſtion, " would better inform his Conſcience. The Arch-Biſhop of *York* was at hand; who, to his Argument of Conſcience, told him, " That there was a Private and " a Publick Conſcience; that his publick Conſcience as a King, might not only " diſpenſe with, but oblige him, to do that which was againſt his Private " Conſcience as a Man: and that the Queſtion was not, Whether He ſhould " Save the Earl of *Strafford*, but, Whether he ſhould Periſh with him: " That the Conſcience of a King to preſerve his Kingdom, the Conſcience of a " Husband to preſerve his Wife, the Conſcience of a Father to preſerve his " Children (all which were now in danger) weigh'd down abundantly all the " conſiderations, the Conſcience of a Maſter, or a Friend could ſuggeſt to him, " for the preſervation of a Friend, or Servant. And by ſuch Unprelatical, Ignominious Arguments, in plain terms adviſed him, " even for Conſcience ſake, to Paſs that Act.

A Brother Bishop of York

Though this Biſhop acted His part with more prodigious Boldneſs and Impiety, Others of the ſame Function (for whoſe Learning and Sincerity the King and the World had greater reverence) did not what might have been expected from their Calling or their Truſt; but at leaſt forbore to Fortify and Confirm a Conſcience, upon the Courage and Piety of which, the Security of Their Perſons and their Order, did abſolutely, under God, depend.

During theſe Perplexities, the Earl of *Strafford*, taking notice of the Straits the King was in, the Rage of the People ſtill increaſing (from whence he might expect a certain Outrage and Ruin, how conſtant ſoever the King continued to him; and it may be, knowing of an Undertaking (for ſuch an Undertaking there was) by a great Perſon, who had then a Command in the Tower, " that if the " King refuſed to Paſs the Bill, to free the Kingdom from the hazard it ſeem'd " to be in, He would cauſe his Head to be ſtricken off in the Tower) writ a moſt pathetical Letter to the King, full of acknowledgment of his Favours; but lively repreſenting " the Dangers, which threatned Himſelf and his Poſterity, by " the King's perſevering in thoſe Favours; and therefore by many Arguments conjuring him, " no longer to defer his Aſſent to the Bill, that ſo His Death " might free the Kingdom from the many Troubles it apprehended.

The Earl of Strafford *himſelf writes to his Majeſty to Paſs it.*

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The delivery of this Letter being quickly known, new Arguments were applied; "that this free conſent of his Own, clearly abſolv'd the King from any "ſcruple that could remain with him; and ſo in the end they extorted from him, to ſign a Commiſſion to ſome Lords to Paſs the Bill, which was as valid as if He had paſs'd it himſelf; though they comforted him even with That circumſtance, "that His Own hand was not in it.

The King ſigns a Commiſſion for the Paſſing it.

It may eaſily be ſaid, that the Freedom of the Parliament, and His own Negative voice, being thus Barbarouſly Invaded, if his Majeſty had, inſtead of Paſſing that Act, come to the Houſe and Diſſolv'd the Parliament; or if he had withdrawn himſelf from that Seditious City, and put himſelf in the head of his own Army; much of the Miſchief, which hath Since happen'd would have been prevented. But whoever truly conſiders the ſtate of Affairs at that time; the Prevalency of that Faction in Both Houſes; the Rage and Fury of the People; the Uſe that was made by the Schiſmatical Preachers (by whom the Orthodox were generally ſilenced) of the late Proteſtation, in their Pulpits; the Fears and Jealouſies they had infuſed into the minds of many ſober men, upon the diſcourſe of the late Plot; the Conſtitution of the Council-Table, that there was ſcarce an Honeſt man durſt ſpeak his Conſcience to the King, for fear of his Ruin; and that Thoſe whom he thought moſt True to him, Betray'd him every hour, inſomuch as his Whiſpers in his Bed chamber were inſtantly convey'd to Thoſe againſt whom thoſe Whiſpers were; ſo that he had very Few men to whom he could breath his Conſcience and Complaints, that were not Suborn'd againſt him, or Averſe to his opinions: That on the other ſide, if ſome Expedient were not ſpeedily found out, to Allay that Frantick Rage and Combination in the People, there was reaſon enough to believe, their Impious hands would be lifted up againſt his own Perſon, and (which he much more apprehended) againſt the Perſon of his Royal Conſort, and laſtly, that (beſides the difficulty of getting thither) he had no ground to be very confident of his own Army: I ſay, Whoever ſadly Contemplates this, will find cauſe to confeſs, the Part which the King had to act, was not only harder than any Prince, but than any private Gentleman had been expoſed to; and that it is much eaſier, upon the Accidents and Occurrences which have Since happen'd, to determine what was Not to have been done, than at That time to have Foreſeen, by what means to have Freed himſelf from the Labyrinth in which he was involv'd.

The Earl Beheaded, May *the* 12*th* 1641.

All things being thus tranſacted; to conclude the Fate of this great perſon, He was on the Twelfth day of *May* brought from the Tower of *London* (where he had been a priſoner near ſix Months) to the Scaffold on Tower-Hill; where, with a compoſed, undaunted Courage, he told the people, "He was come thither "to Satisfy them with his Head; but that he much fear'd, the Reformation "which was begun in Blood, would not prove ſo Fortunate to the Kingdom, as "They expected, and He wiſh'd: and after great expreſſions "of his Devotion "to the Church of *England*, and the Proteſtant Religion eſtabliſh'd by Law, and "profeſs'd in that Church; of his Loyalty to the King, and Affection to the "Peace and Welfare of the Kingdom; with marvellous Tranquillity of mind, he deliver'd his Head to the Block, where it was ſever'd from his Body at a Blow. Many of the Standers by, who had not been over charitable to him in his Life, being much affected with the Courage and Chriſtianity of his Death.

Thus fell the greateſt Subject in Power, and little inferior to any in Fortune, that was at that time in any of the Three Kingdoms; Who could well remember the time, when He Led thoſe People, who then Purſued Him to his Grave. He was a man of great Parts, and extraordinary Endowments of Nature; not unadorned with ſome addition of Art and Learning, though that again was more Improved and illuſtrated by the other; for he had a readineſs of Conception, and ſharpneſs of Expreſſion, which made his Learning thought more than in truth it was. His firſt inclinations and addreſſes to the Court, were only to eſtabliſh his Greatneſs in the Country; where he apprehended ſome acts of Power from the Lord *Savile*, who had been his Rival always There, and of late had ſtrengthned himſelf by being made a Privy-Counſellor, and Officer at Court: but his firſt attempts were ſo proſperous, that he contented not himſelf with being ſecure from that Lord's Power in the Country, but reſted not, till he had bereav'd his adverſary of all power and place in Court; and ſo ſent him down, a moſt Abject, Diſconſolate old man, to his Country, where he was to have the Superintendency

over

over him too, by getting himſelf at that time made Lord Preſident of the North. Theſe Succeſſes, applied to a nature too Elate and Haughty of it ſelf; and a quicker progreſs into the greateſt Employments and Truſt; made him more tranſported with Diſdain of other men, and more Contemning the Forms of buſineſs, than happily he would have been, if he had met with ſome Interruptions in the beginning; and had paſs'd in a more leiſurely gradation to the office of a States-man.

He was no doubt of great obſervation, and a piercing judgement, both in things, and Perſons; but his too good skill in Perſons, made him judge the worſe of Things: for it was his Misfortune, to be in a time wherein very few wiſe men were equally employ'd with him; and ſcarce any (but the Lord *Coventry*, whoſe Truſt was more confined) whoſe Faculties and Abilities were equal to His: So that upon the matter he relied wholely upon Himſelf; and diſcerning many defects in moſt men he too much neglected what they ſaid or did. Of all his Paſſions, his Pride was moſt predominant: which a moderate exerciſe of ill Fortune might have corrected and reform'd; and which was by the hand of Heaven ſtrangely Puniſh'd by bringing his Deſtruction upon him by Two things that he moſt deſpiſed, the People and Sr. *Harry Vane*. In a word, the Epitaph which *Plutarch* records that *Sylla* wrote for himſelf, may not be unfitly applied to him, "That no man did ever "exceed him either in doing Good to his Friends, or in doing Miſchief to his Ene-"mies; for his acts of both kinds were moſt notorious.

Together with that of Attainder of the Earl of *Strafford*, another Bill was Paſs'd by the King, of almoſt as Fatal a Conſequence both to the King and Kingdom; as that was to the Earl, "the act for the Perpetual Parliament; as it is ſince call'd.

At the ſame time with the Bill of Attainder paſs'd the Act for the continuing this Parliament.

The vaſt Charge of the two Armies; was no other way ſupplied (for I have told you before the reaſon why they were ſo ſlow in granting of Subſidies) than by borrowing great Sums of money from the City or Citizens of *London*, upon the Credit of Particular perſons. The Emiſſaries in that Negotiation, about the time the Act of Attainder paſs'd the Commons, return'd, "That there was no more hope "of Borrowing in the City; that men had Before chearfully lent their Eſtates, "upon their confidence, in the Honour and Juſtice of the two Houſes; but they had "Now conſider'd, how deſperate that Security muſt prove, if the two Houſes ſhould "be Diſſolv'd. Which conſideration, begun to have an univerſal Influence upon "all Thoſe who were Perſonally Bound for moneys already borrow'd; "for that "Their Perſons and Fortunes muſt anſwer thoſe Sums which had been paid for "the Publick benefit, if the Parliament ſhould be Diſſolv'd before any Act paſs'd "for their Security. That their Fears and Apprehenſions that this might happen, "were much advanced by the late diſcovery of the Plot againſt the Parliament; for "though the particulars thereof were not yet publiſh'd, they diſcern'd there was "not that good meaning to the Parliament, as it deſerv'd. This was no ſooner offer'd, than the Reaſonableneſs of the objection was enforced; and the Neceſſity of finding ſome Expedient "to Satisfy the People of the gracious Intention and Reſolu-"tions of the King; which were moſt unqueſtionable: (for in all thoſe articles of time, when They were to demand ſome unreaſonable thing from him, they ſpared no dutiful mention of the Piety and Goodneſs of his own Princely nature; or large promiſes what demonſtrations of Duty they would ſhortly make to him) No way could be thought of ſo ſure, as an Act of Parliament, "that This Parliament ſhould "not be Adjourn'd, Prorogued, or Diſſolv'd, but by Act of Parliament; which, "upon this occaſion, his Majeſty would never deny to Paſs.

The Arts by which that Act was obtain'd.

It is not credible, what an univerſal reception and concurrence this Motion met with (which was to remove the Landmarks, and to deſtroy the Foundation of the Kingdom) inſomuch, as a Committee was immediately appointed to withdraw, and to prepare a ſhort Bill to that purpoſe; which was within a ſhort time (leſs than an Hour) brought into the Houſe, and immediately twice read and Committed; an expedition ſcarce ever heard of before in Parliament; and the next day, with as little agitation, and the contradiction of very few voices, Ingroſs'd, and carried up to the Lords: with Them it had ſome Debate, and Amendments, which were deliver'd at a Conference, the principal whereof was, "that the time ſhould be limited and "not left indefinite, and that it ſhould not be Diſſolv'd within two years, except "by conſent of Both Houſes; that time being ſufficient to provide againſt any accidents that were then apprehended.

Theſe Alterations were highly reſented in the Houſe of Commons, as argument of Jealouſy between the King and the Parliament, "that it ſhould be imaginable "the Members of both Houſes, who reſided from their houſes and conveniences at

" great charge for the ſervice of the Publick, would deſire to continue longer to-
" gether than the neceſſity of that Service ſhould require; without conſidering, that
" it was more unlikely that the King (who had condeſcended ſo far to them,
" and had yet in truth receiv'd no fruit from their meeting) would Diſſolve them,
" as long as they intended that for which they were ſummon'd together, and con-
" tain'd themſelves within the bounds of Duty and Moderation.

But the Commons ſtoutly inſiſted on their own Bill; and the Lords, in that hurry of Noiſe and Confuſion, when the meetings of the People were ſo frequent, kindly Conſented likewiſe to it: and ſo, by the importunity, and upon the undertaking of perſons He then moſt truſted, in the agony of the other diſpatch, the King was induced to include that Bill in the Commiſſion with the Act of Attainder, and they were Both Paſs'd together.

After the Paſſing theſe two Bills, the temper and ſpirit of the People, both within and without the walls of the two Houſes, grew marvellous calm and compoſed; there being likewiſe about that time Paſs'd by the King, the two Bills, for the taking away the Star-chamber Court, and the High Commiſſion: So that there was not a Grievance or Inconvenience, Real or Imaginary, to which there was not a through Remedy applied; and therefore all men expected, that both Armies would be ſpeedily Disbanded; and ſuch returns of Duty and Acknowledgment be made to the King, as might be agreeable to Their profeſſions, and to the Royal Favours he had vouchſafed to his People.

But what proviſions ſoever were made for the Publick, Particular perſons had receiv'd no ſatisfaction. The Death of the Earl of *Bedford*; and the high Proceedings in all thoſe caſes in which the King was moſt concern'd; left all Thoſe who expected Offices and Preferments, deſperate in their hopes: And yet an Accident happen'd, that might have been look'd upon as an Earneſt or Inſtance of ſome encouragement that way.

Beſides the Lord *Say*'s being inveſted in the Maſterſhip of the Wards, in the place of the Lord *Cottington* (who was every day threatned, upon the Secretary's Paper of Reſults, to be accuſed of High Treaſon, till, like a wiſe man, he retired from the Offices which begot his trouble; and for a long time after, till he again embark'd himſelf in Publick employments, enjoy'd himſelf without the leaſt diſturbance): At a Committee in the Houſe of Lords, in the Afternoon, in ſome Debate, Paſſion aroſe between the Earl of *Pembroke*, who was then Lord Chamberlain of the Houſhold, and the Lord *Mowbray*, eldeſt Son of the Earl of *Arundel*; and from angry and diſdainful Words, an offer or attempt of Blows was made; for which miſdemeanour, they were the next day Both ſent to the Tower by the Houſe of Lords. The King taking advantage of this miſcarriage; and having been long incenſed, by the Paſſionate, Indiſcreet, and Inſolent carriage of the Earl, ſent to him, by a Gentleman Uſher, for his Staff; and within two or three days after, beſtow'd it upon the Earl of *Eſſex*: who, without any heſitation, took it.

The King takes the Staff of Lord Chamberlain from the Earl of Pembroke and gives it to the Earl of Eſſex.

It was thought this extraordinary grace to the moſt Popular perſon of the Kingdom, would have had a notable Influence upon the whole Party, which made Him believe it depended very much on Him: But it was ſo far from having That effect, as they look'd upon that favour, rather as a mark of Puniſhment and Revenge upon the Earl of *Pembroke*, for his affection to Them, and for giving his Suffrage againſt the Earl of *Strafford* (which he had often profeſs'd to the King he could never in Conſcience do) than of Eſteem and Kindneſs to the Earl of *Eſſex*; and ſo they were intruth more offended and incenſed with the Diſgrace and Diſobligation to the One, than they were pleaſed with the Preferment of the Other: therefore whatever concern'd the King in Right; or what he might naturally expect from the compliance and affection of the Houſe; or what was any way recommended by his Majeſty to them, found little or no Reſpect.

The truth of the caſe of Tonnage and Poundage.

His Revenue was ſo far from being advanced (as had been glorioufly promiſed) that it was, both in dignity and value, much leſſen'd from what it was: For ſhortly after the beginning of the Parliament, great Complaint had been made, " that Ton-
" nage and Poundage (which is the duty and ſubſidy paid by the Merchant upon
" Trade) had been taken by the King without conſent of Parliament; the caſe whereof intruth is this: This Duty had been conſtantly given to the ſucceeding King, ever ſince the Reign of King *Edward* the Fourth, for his Life, in the Firſt Parliament they held after their coming to the Crown: Before that time, it had been granted for Years; and was originally intended for the ſupport of the Navy, whereby the Merchant might be freed from danger of Pirates; and upon the death of every King ſince

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that time, his Succeſſor commonly receiv'd it, without the leaſt interruption, till the next Parliament; in the beginning whereof it was always without ſcruple granted: So that, though it was, and muſt always be acknowledg'd, as the free gift of the People (as all other Subſidies are) yet it was look'd upon as ſo Eſſential a part of the Revenue of the Crown, that it could not be without it: and as the King is not leſs King Before his Coronation than he is After, ſo this Duty had been ſtill enjoy'd as freely Before, as it was After an Act of Parliament to that purpoſe; neither had there been ever any Exception taken in Parliament (which ſometimes was not in a year after the death of the former King) that the Crown had continued the receipt of it; which it did, till the time of a new Grant.

Thus, after the death of King *James*, his Majeſty receiv'd it, till the Firſt Parliament was Summon'd; and, That and Two more being unfortunately Diſſolv'd (as was ſaid before) in which his Miniſters were not ſollicitous enough for the paſſing that Act for Tonnage and Poundage, continued the receipt of it till this preſent Parliament: Then (that is, many weeks after the beginning of it) it was directed, "that a Bill ſhould be ſpeedily prepared for the granting it, as had been uſual, leaſt "the Crown might, by ſo long enjoying, in a manner preſcribe to it of Right, with-"out the donation of the People; which the King always diſclaim'd to do. Shortly after (no man preſuming to intimate, that it ſhould be granted in any other manner than of courſe it had been) it was alledg'd, "that the Bill could not be ſo ſpeedily "prepared as were to be wiſh'd, by reaſon that there were many juſt Exceptions made "by the Merchants to the Book of Rates, which had been lately made by the Far-"mers of the Cuſtoms, in the time and by the direction of the Earl of *Portland* (Circumſtances that carried Prejudice enough to whatſoever they were applied) and therefore it was propoſed, for the preſent, as the beſt expedient to continue his Majeſty's Supply, and to preſerve the Right of giving in the People, "that a Tempo-"rary Bill ſhould paſs, for the granting the ſame to his Majeſty for two Months "only, in which time a new Book of Rates ſhould be made, more advantagious "to his Majeſty in point of profit (which was always profeſs'd)" and then a "Compleat Act might paſs.

To this purpoſe a Bill was accordingly brought in, the Preamble whereof "re-"nounced and declared, againſt not only any power in the Crown of levying the "Duty of Tonnage and Poundage, without the expreſs conſent of Parliament, but "alſo any power of Impoſition upon any Merchandizes whatſoever, and in any "caſe whatſoever; which had been conſtantly practiſed in the beſt times by the Crown; had the countenance of a ſolemn judgement in the Exchequer-Chamber; and though often agitated in Parliament, had never been Yet declared againſt: Yet This quietly paſs'd Both Houſes, as a thing not worth conſidering. And ſo in expectation and confidence, that they would make glorious Additions to the State and Revenue of the Crown, his Majeſty ſuffer'd himſelf to be Stripp'd of All that he had left; and of the ſole ſtock of Credit he had to Borrow moneys upon: for though in truth, men knew That Revenue was not Legally veſted in the King till an Act of Parliament, yet all men look'd upon it as unqueſtionably to Paſs; and ſo it was not only a competent proportion for the preſent ſupport of his Houſe, but was under-ſtood a good Security for any ordinary Sum of money upon advance, as Forty or fifty thouſand pound, upon any emergent occaſion.

The mention of the former Plot between the Court and the Army revived in the Houſe of Commons.

All good men diſcern'd this groſs uſage, and the Diſadvantage impoſed upon his Majeſty by this mutation; and therefore expected a full Reparation, by ſuch an Act for Life as had been uſual; and ſuch an Improvement of the Book of Rates as had been promiſed; as ſoon as the buſineſs of the Earl of *Strafford* was over: which had been always objected, as neceſſary to precede all other conſultations. But This was no ſooner moved, "as Seaſonable in order to Their Own profeſſions and in a degree "Due to the King, after ſo many reiterated expreſſions of Favour and Affection to "his People, by ſo many excellent Laws, and other Condeſcenſions; Than They objected, "the Odiouſneſs of the late Plot againſt the Parliament, which was not "yet fully diſcover'd: That notwithſtanding thoſe gracious demonſtrations of Fa-"vour from the King, in the Laws and other acts mention'd, They had great cauſe "to apprehend, ſome Ill affected perſons had ſtill an Influence upon his Majeſty, "to the Diſſervice of the Parliament, and to beget Jealouſies in Him towards them; "for that they had plainly diſcover'd (which they ſhould in a ſhort time be able "to preſent fully to the Houſe) that there had been a Deſign, not only to Poyſon "the Affections of the Army towards the Parliament, by making them believe that "They were neglected, and the *Scots* preferr'd much before them; but to bring up

"that

" that Army to *London*, with a purpoſe to Aw the Parliament: That there was a " reſolution to Seize the Tower, and to make it a Curb upon the City: That there " had been an attempt to prevail with the Officers of the *Scottiſh* Army, at leaſt to " Sit ſtill as Neuters, whilſt the Others acted this Tragedy: That the Confede- " rates in this deſign had taken an Oath, to Oppoſe any courſe that ſhould be ad- " viſed for the Removing the Biſhops out of the Houſe of Peers; to Preſerve " and Defend the King's Prerogative, to the utmoſt extent that any of his Proge- " nitors had enjoy'd; and to Settle his Majeſty's Revenue: That they had reaſon " to fear, his Majeſty's own Concurrence, at leaſt his Approbation, in this deſign " (which if not prevented, muſt have proved ſo Pernicious and Fatal to the King- " dom) for that, beſides that the Perſons principally engaged in it, were of the " neareſt Truſt about the King and Queen; They had clear Proof, that a Paper had " paſs'd his Majeſty's peruſal, in which were contain'd, many ſharp Invectives a- " gainſt the Parliament; a deſire that they might have the exerciſe of Martial Law " (the mention whereof, was the moſt Unpopular and Odious thing that could be " imagin'd) and an offer of Service to Defend his Majeſty's perſon, which was an " implication as if it had been in Danger: and that this Paper ſhould have been " Sign'd by All the Officers of the Army; for their better encouragement wherein, " the King himſelf had written a *C.* and an *R.* as a teſtimony that He approved " of it,

This Diſcourſe, ſo Methodically and Confidently averr'd, made a ſtrange Impreſ- ſion (without reſerving themſelves till the Evidence ſhould be produced) in the minds of moſt men; who believ'd, that ſuch Particulars could never have been with that Solemnity inform'd, if the Proofs were not very clear; and ſerv'd, not only to Blaſt whatſoever was moved on his Majeſty's behalf, but to Diſcountenance, what, till then, had been the moſt Popular motion that could be made, which was, the Disbanding both Armies, and the *Scots* return into their own Country. For the better accompliſhment whereof, and as a teſtimony of their Brotherly affections the two Houſes, had frankly and bountifully undertaken, " to give them a Gratuity of " three hundred thouſand pounds, over and above the twenty five thouſand pounds " the month, during the time that their ſtay here ſhould be neceſſary.

300000 l. voted to the Scots for a Gratuity, beſides their Monthly allowance.

After that act, the King might have been reaſonably awaked, from any extraordi- nary confidence in the Loyalty, Honour, or Juſtice of Both Houſes. And without doubt, when Poſterity ſhall recover the Courage and Conſcience, and the old Ho- nour of the *Engliſh* Nation, it will not with more Indignation and Bluſhes con- template any action of this Seditious and Rebellious age, than that the Nobility and Gentry of *England*, who were not guilty of the Treaſon, ſhould recompenſe an In- vaſion from a Forreign Nation, with whatever Eſtabliſhments They propoſed in their own Kingdom, and with a Donative of Three Hundred Thouſand pounds, over and above all Charges, out of the bowels of *England*; which will yet appear the more prodigious, when it ſhall be conſider'd, that not a Fifth part of thoſe who were Ac- ceſſaries to that Infamous Prodigality, were either Favourers of Their Ends, or great Wellwiſhers to their Nation.

But very Many gave themſelves leave, Unfaithfully, to be Abſent from thoſe De- bates, when the Wealth and Honour of their Country was to be tranſplanted into a ſtrange Land; Others look'd upon it as a good Purchaſe, to be Freed of the payment of Fourſcore Thouſand pounds the month (which was the charge of Both Armies) by an entire Sum of three hundred thouſand pounds; and Some pleaſed themſelves with an aſſurance, that the Scandal, and Unreaſonableneſs of the Sum, would pro- voke the People to a Hatred and Revenge, and ſo that the Brotherhood would not be Supported, but Deſtroy'd, by that extravagant Bounty: Yet theſe were only ſhort Ejaculations to Pleaſe themſelves for the time; for many of thoſe, who had no other reaſon to conſent to that vaſt Sum, but that they might be rid of them, were ſo in- flamed and tranſported with the Tale of the Plot, that they had Then no mind to let them go; and had ſo far ſwallow'd and digeſted an aſſurance that it was True, that they reſerv'd no Diſtinguiſhing or Judging faculties for the time when the Evi- dence and Proof ſhould be preſented to them.

After they had play'd with this Plot, and given the Houſe heats and colds, by ap- plying Parts of it to them upon emergent occaſions, for the ſpace of near three months; and finding, that though it did them many notable Services, in advancing Their Own Reputations, and Calumniating the King's Honour, yet, that it had not a Through Effect at Court for their Preferment; They reſolv'd to ſhew All their Ware, and to produce the Whole Evidence: for the perfecting whereof, they had

" a late

" a late mark of God's great favour towards them, in his furniſhing them with Evi-
" dence for the compleat Diſcovery of the whole miſchief, from one that was a
" principal contriver of it.

We ſaid before, " that upon the firſt motion in the Houſe of Commons, by Mr. *Pym*, for a Committee of Examination, and for an Addreſs to the King, that he " would grant no Paſſes to any of his Servants to go beyond Seas, ſome Perſons, of " near relation to his Truſt, immediately abſented themſelves, which were Mr. *Peircy*, and Mr. *Jermyn*: now the latter of theſe, without interruption, tranſported himſelf into *France*; but Mr. *Peircy* delaying his journey upon ſome occaſions of his own, and concealing himſelf in ſome obſcure places in *Suſſex*, near to his Brother's houſe, was at laſt diſcover'd; and when he endeavour'd to have eſcaped, was ſet upon by the Country people, and with great difficulty, and not without ſome hurt, got from them, and was not in ſome months again heard of.

It was generally believ'd afterwards, that finding the Sea-ports ſhut, and Watches ſet for his apprehenſion in all thoſe places, whereby the Tranſporting himſelf into Forreign Parts was very difficult, he found means to return to *London*, and to put himſelf into his Brother's Protection; where it is thought he was harbour'd, till his hurt was cured; the ſtrictneſs of the enquiry, over; and, till he had prepared that Letter to his Brother, the Earl of *Northumberland*, which ſerv'd, as far, as in Him lay, to deſtroy all his Companions, and furniſh'd the Committee, with that which they call'd " a Double Evidence: for They had no ſooner receiv'd that Letter from the Earl of *Northumberland*, than they told the Houſe, " They were Now Ready for a " compleat Diſcovery; and thereupon, produced the Evidence of Colonel *Goring*, and the Letter from Mr. *Peircy*; both which agreed upon the relation, " of a " meeting at Mr. *Peircy*'s Chamber; and of a diſcourſe of the Parliament's Neglect " of the King's, and Favouring the *Scottiſh* Army; the taking an Oath of Secrecy; and ſome other particulars: all which had been poſitively Denied, by thoſe of them that were Members of the Houſe of Commons, Mr. *Wilmot*, Mr. *Aſhburnham*, and Mr. *Pollard*, upon their Examinations upon Oath.

It will hardly be believ'd hereafter (but that the Effects of ſuch Impoſtures have left ſuch deep Marks) that the Evidence Then given, could, in ſo Grave and Judging an Aſſembly, as a High Court of Parliament, till then, had always been, have brought the leaſt Prejudice upon the King; or indeed, Damage to any perſon accuſed: there being, in all the Teſtimonies produced, ſo little ſhew of Proof, of a Real Deſign, or Plot, to bring up the Army (which was the chief matter alledg'd) to Aw the Parliament, that in truth it was very evident, there was No Plot at all; Only a Free Communication between perſons (the major part whereof were of the Houſe) " of the Ill Arts that were generally uſed to Corrupt the Affections of the " People; and of ſome Expedient, whereby, in that ſo publick Infection, the Army (in which they had all conſiderable Commands, two of them being General Officers) " might be preſerv'd, from being wrought upon and corrupted: in which diſcourſe, Colonel *Goring* himſelf, as appear'd by his own Examination, only propoſed wild and extravagant overtures, " of bringing up the Army, and ſurprizing the Tower; " which was, by all the reſt with manifeſt diſlike, rejected: That all this had " paſs'd at one meeting, in which, They who met were ſo ill ſatisfied in one another, " that they never would come together again: That, when the bringing up the Army to *London* was once talk'd of before the King, his Majeſty would not hear of " it, but only deſired, That their Affections might be kept entire for his Service, " as far as was conſiſtent with the Laws of the Land, which were in danger to " be invaded.

Yet, notwithſtanding that all this appear'd; and that this was all that did appear (beſides a Diſcourſe of a Petition; for the Petition it ſelf they would not produce, ſign'd with *C. R.* which is before ſet down in terms;) the Specious, Poſitive Narration of the whole, by Mr. *Pym*, before the Evidence was read; the Denying, what was Now proved, and confeſs'd by themſelves, by Mr. *Wilmot*, *Aſhburnham*, and *Pollard*, upon the Former Examination; the Flight of Mr. *Jermyn*, and Mr. *Peircy*, and ſome others; the mention of ſome clauſes in the Petition ſign'd with *C. R.* and ſome envious, dark glances, both in Mr. *Goring*'s Examination, and Mr. *Peircy*'s Letter, at the King and Queen, as if They knew more than was expreſs'd; So tranſported the Hearers (who made themſelves Judges too) that taking all that was Said, to be Proved, They quickly voted, " That there was a deſign to bring up the " Army to Force the Parliament, reſolv'd to accuſe Mr. *Jermyn* and Mr. *Peircy* of " High Treaſon; committed the Three Members of the Houſe of Commons, to ſe-

veral Priſons, and put them from being Members, that in their rooms they might bring in Three more fit for their Service, as they ſhortly did; gave Colonel *Goring* Publick Thanks, "for Preſerving the Kingdom, and the Liberties of Parliament; and fill'd the People with Jealouſy for their Security, and with univerſal Acclamations of Their great Wiſdom and Vigilancy. So that this Plot ſerv'd, to produce their Firſt Proteſtation; to inflame the People againſt the Earl of *Strafford*, and in a degree to compaſs Their Ends upon that great Perſon, as hath been before obſerv'd; to procure the Bill for the Continuance of This Parliament, the Foundation, or the Fountain, of all the Publick Calamities; to hinder and croſs all overtures made for the Revenue of the King, and to leſſen the general Reverence and Duty to Both their Majeſties; to continue the *Scottiſh* Army within the Kingdom, and conſequently, to hinder the King's from being Disbanded; to incenſe both Houſes againſt the Biſhops, as if the deſign had been principally for their protection (there being one Witneſs who ſaid, "he had been told, that the Clergy would Raiſe and Pay one thouſand "Horſe to be employ'd againſt the Parliament); to blaſt the reputation of the Earl of *Newcaſtle*, whoſe zeal to his Majeſty's Service was moſt remarkable, as if He had been to have Commanded the Army; and laſtly, to advance Their own Credit and Eſtimation with the People, as if They were the only Patriots, that intended the Preſervation of Religion, Law and Liberty.

And having made this uſe of it (which is a ſufficient argument what opinion they had of Their Own evidence) They never Proceeded againſt any of the Perſons who were in their power, though they patiently attended and importuned a Trial above a year after their accuſation: for They well knew, there muſt be Then a more Exact and Strict weighing of the Proofs; and that the Perſons accuſed, would not only Vindicate Themſelves from the aſperſions which were laid upon them, but could Recriminate upon the principal Proſecutors with ſuch charges, as they would not ſo eaſily be freed from; and this was the reaſon, that, even during the heat and noiſe of the Accuſation, They receiv'd very civil offices, viſits, and addreſſes, from the Chief of Thoſe who were truſted with the Proſecution.

The ſending that Letter of Mr. *Peircy*'s to the Houſe of Commons; or rather, the procuring that Letter to be writ (in which, ſuch Inſinuations were made, to the Prejudice of the King and Queen) was the firſt viſible inſtance of the Defection of the Earl of *Northumberland* from his Majeſty's Service; which wrought ſeveral Ill Effects in the minds of many: For, as the Earl then had the moſt Eſteem'd and Unblemiſh'd Reputation, in Court and Country, of any perſon of his rank throughout the Kingdom; So They who knew him well, diſcern'd, that the greatneſs of that Reputation, was but an effect of the ſingular Grace and Favour ſhew'd to him by his Majeſty; who, immediately upon the death of his Father, had taken this Earl (being then leſs than Thirty years of age) into His immediate and eminent care; firſt made him a Privy-Counſellor; then Knight of the Order of the Garter; then (that he might fit him by degrees for the greateſt Truſt and Employments) ſent him Admiral into the Narrow Seas, of a Royal Navy; and after a Summer ſpent in that exerciſe, made him Lord high Admiral of *England*; and to the very minute of which we ſpeak, proſecuted him with all manner and demonſtration of Reſpect and Kindneſs; and (as I heard his Majeſty himſelf ſay "courted him as his Miſtreſs, and "converſed with him as his Friend, without the leaſt interruption or intermiſſion of "any poſſible favour and kindneſs. And therefore many, who obſerv'd this great Earl purchaſe this opportunity of Differving the King, at the price of his Brother's honour, and of his Own gratitude, concluded, that he had ſome notable temptation in Conſcience, and that the Court was much Worſe than it was believ'd to be.

The truth is, that after his Brother's being accuſed of High Treaſon; and then, upon his hurt in *Suſſex*, coming directly to *Northumberland*-Houſe to ſhelter himſelf; the Earl being in great trouble how to ſend him away beyond the Seas after his wound was cured, adviſed with a confident Friend then in Power, whoſe affection to him he doubted not, and who, innocently enough, brought Mr. *Pym* into the Council, who over-witted them Both, by frankly conſenting, "that Mr. *Peircy* "ſhould eſcape into *France*, which was all the care the Earl had; but then obliged him, "Firſt to draw ſuch a Letter from him, as might by the Party be applied as an "Evidence of the reality of the Plot, after he was eſcaped; and in this manner the Letter was procured: which made a laſting Quarrel between the two Brothers; and made the Earl more at the Diſpoſal of Thoſe perſons whom he had truſted ſo far, than he had been before.

After

After the Act for the Continuance of the Parliament, the Houſe of Commons took much more upon them, in point of their Priviledges, than they had done; and more undervalued the concurrence of the Peers; though that Act, neither Added any thing to, nor Extended their Juriſdiction: which Juriſdiction, the Wiſdom of Former times kept from being Limited or Defined; there being Then no danger of Exceſs; and it being much more agreeable to the nature of the Supream Court to have an Unlimited Juriſdiction. But Now, that they could not be Diſſolv'd without Their Own conſent (the Apprehenſion and Fear whereof, had always Before kept them within ſome bounds of Modeſty) they call'd any Power they pleaſed to aſſume to Themſelves, "a Branch of their Priviledge and any Oppoſing or Queſtioning that Power; "a Breach of their Priviledges: which all men were bound to Defend by Their late Proteſtation; and They were the Only Proper Judges of Their Own Priviledges.

Hereupon, They call'd whom they pleaſed, *Delinquents*; receiv'd Complaints of all kinds; and committed to Priſon whom they pleaſed: which had been never done, nor attempted, before This Parliament; except in ſome ſuch apparent Breach, as the Arreſting a Priviledg'd perſon, or the like. And, as if Theirs had ſwallow'd up all other Priviledges, of Peers, and the King himſelf, upon the Lords rejecting a Bill ſent up to them, "to compel all perſons (without diſtinction of Quality; and without diſtinction of Puniſhment or Proceeding, upon their refuſal) "to take the "late Proteſtation; and two Lords of great credit (the Earl of *Southampton*, and the Lord *Roberts*) having refuſed to take the ſame; the Houſe of Commons, in great Fury, and with many expreſſions of Contempt, by a Vote declared, "that "the Proteſtation made by Them, was fit to be taken by every perſon, that was "well affected in Religion, and to the good of the Common-wealth, and therefore, "that what perſon ſoever ſhould not take the Proteſtation, was unfit to bear Office "in the Church or Common-wealth; and directed farther, "that that Vote ſhould "be Printed, and that the Knights and Burgeſſes ſhould ſend down Copies of it, to "the ſeveral Places for which they ſerv'd: which was the moſt unparallel'd Breach of Priviledge; and the higheſt and moſt inſolent Affront, to the Lords, to the King, and to the Juſtice of the Kingdom; and the moſt Deſtructive to Parliaments, that any Age had been guilty of. And yet, when ſome of the Peers nobly reſented it, on the behalf of the Peerage and the Liberty of the Subject, and preſs'd reſolutely for Reparation, means was found out, to engage the King to interpoſe his Royal mediation with thoſe Lords, to the end, they might quietly paſs by that publick Violation and Indignity, without further inſiſting on it.

All this time the two Armies were continued at a vaſt Charge, many men whiſpering (but ſo that it might be ſpoken of) "that the *Scots* would not retire, till "the Bill againſt Epiſcopacy was paſs'd: Whereupon, the King ſent them word, about the beginning of *July*, "that he deſired all ſpeed might be uſed for the Dis-"banding both Armies; for the better, and more orderly doing whereof, he had conſti-"tuted the Earl of *Holland* General of his Army (the Earl of *Northumberland*, by reaſon of his Indiſpoſition in health, or ſome other reaſon, having laid down his Commiſſion) "and intended forthwith to ſend him down thither: That his Ma-"jeſty himſelf, according to a former Reſolution, and Promiſe made to his Subjects "of *Scotland*, meant to viſit that his native Kingdom, for the better perfecting the "Peace there; and appointed the day (about fourteen days after) he reſolv'd to "begin his Progreſs; and therefore wiſh'd them, againſt that time, to Prepare "and Finiſh any ſuch Acts, as they deſired might receive his Majeſty's Approbation, "for the good of the Kingdom, if there yet remain'd any thing to be ask'd of him: Notwithſtanding which meſſage, they ſpent moſt of their time upon the Bill for extirpation of Biſhops, Deans, and Chapters; without either finiſhing the Act of Pacification between the two Nations, or giving order for the Disbanding the Army.

It was wonder'd at by many, and ſure was a great Misfortune to the King, that he choſe not rather, at that time (though the buſineſs was only to Disband) to conſtitute the Earl of *Eſſex* General of his Army, than the Earl of *Holland*; for (beſides that it would have been an act of much more grace and ſatisfaction to the People, and to the Soldiery) his Majeſty having lately given him ſo great an earneſt of his truſt, as the making him Chamberlain of his houſe, he ought in Policy to have purſued that work, by any ſeaſonable accumulation of Favour, till he had made him his perfect Creature; which had been very eaſy, if skilfully attempted: for his Pride and Ambition, which were not accompanied with any habit of Ill Nature, were very capable of Obligations; and he had a Faithfulneſs and Conſtancy in his nature, which had

had kept him always Religious in matter of truſt; Then, he was almoſt a declared Enemy to the *Scottiſh* Nation; and would have been very Punctual in all Formalities and Decencies, which had any relation to his Maſter's Honour, or the Honour of the Nation. In a word, he might have been Impoſed upon in his underſtanding, but could not have been Corrupted, by hopes or fears of what the two Houſes could have done to him; and was then more the Idol of the People, than in truth the Idolater of them.

Whereas, by making the Earl of *Holland* General, his Majeſty much Diſobliged the Other, who expected it, and to whom it had been in a manner offer'd; and made him apprehend ſome Diſtruſt in the King towards him; and that his former Favour in his Office had been conferr'd on him, rather becauſe no man elſe had been able to bear the Envy of Diſplacing the Earl of *Pembroke*, than that his Own Merit and Service was valued. Beſides, the Earl of *Holland*, upon whom he conferr'd that Honour, had formerly diſappointed him, and often incurr'd his diſpleaſure; and wore ſome marks of it; and was of no other Intereſt or Reputation with the Party which could do miſchief, than as a perſon Obnoxious to them, in the miſexecuting his great and terrible Office of Chief Juſtice in Eyre, by which he had vex'd and oppreſs'd moſt Counties in *England*, and the moſt Conſiderable perſons in thoſe Counties; and in other particulars; that they knew he durſt not offend them, and would purchaſe Their protection and good opinion at any price: As it fell out; for within few days after the King was gone through that Army, in his way to *Scotland*, the Earl wrote a Letter, which was communicated to both Houſes, in which he myſtically expreſs'd "ſome new Deſign to have been ſet on foot for Corrupting the Army; for which there was never after the leaſt colour given; but ſerv'd then, to heighten the old Jealouſies, and to beſpeak a Miſunderſtanding, for whatſoever ſhould be propoſed on his Majeſty's behalf during his abſence.

Men now believ'd, that they would be very forward in Diſmiſſing the *Scottiſh* Army, and Disbanding the other, which coſt the Kingdom ſo vaſt a Sum of money every month; and they had already voted a Brotherly aſſiſtance to the *Scots* of three hundred thouſand pounds, for the Service they had perform'd; and an Act was already prepared for the raiſing the Sum; but They had yet no mind to part with their beloved Brethren.

The Commiſſioners who treated with the *Scots*, had agreed, "that the King "ſhould be preſent in his Parliament in *Edenborough*, by ſuch a day in *July*, to "Paſs the Act for Pacification between the two Kingdoms, and ſuch other Acts as "his Parliament there ſhould propoſe to him; and his Majeſty prepared to begin his Progreſs, ſoon enough to be in *Scotland* by the time; and they reſolv'd on all "ſides, that the one Army ſhould be drawn out of the Kingdom, and the other "totally Disbanded, before the King ſhould arrive in the Northern parts, for many "reaſons. As They had loſt all confidence in the affections of the *Engliſh* Army, ſo there were many Jealouſies ariſen among the *Scots*; both in their Army, and amongſt their greateſt Councellors: notwithſtanding all which, inſtead of making haſt to the Disbanding, They publiſh'd much Jealouſy and Diſſatisfaction to remain with them, of the Court; "There were ſome evil Councellors ſtill about "the King, who obſtructed many gracious acts, which would otherwiſe flow from "his goodneſs and bounty towards his People; and made ill impreſſions in him, "of the Parliament it ſelf and its proceedings.

Their deſign was to remove the Duke of *Richmond* from the King; both becauſe they had a mind to have his Office of Warden of the Cinque-Ports from him, that it might be conferr'd on the Earl of *Warwick*; and as He was almoſt the Only man of great Quality and Conſideration about the King, who did not in the leaſt degree ſtoop, or make court to them, but croſs'd them boldly in the Houſe; and all other ways purſued his Majeſty's Service, with his utmoſt vigour and intentneſs of mind: They could not charge him with any thing like a Crime, and therefore only intended by ſome Vote to Brand him, and make him Odious; by which they preſumed, they ſhould at laſt make him willing to ranſom himſelf by quitting that Office, For which, there was ſome underhand treaty, by perſons who were ſollicitous to Prevent farther Inconveniences; and as they found any thing like to ſucceed in that, they ſlacken'd or advanced their diſcourſe of Evil Councellors.

One day they were very warm upon the Argument, and had a purpoſe to have named Him directly, which they had hitherto forborn to do, when Mr. *Hyde* ſtood up, and ſaid, "He did really believe that there yet remain'd ſome Evil Coun-"cellors, who did much harm about the King; and that it would be much better

"to

" to Name them, than to Amuſe the Houſe ſo often with the general mention of " them, as if we were afraid to name them: He propoſed, " that there might be " a day appointed, on which, upon due reflections upon Thoſe who had been moſt " notorious in doing Miſchief to the Publick, we might moſt probably find, Who " they were who trod ſtill in the ſame paths, and might Name them accordingly; " and that for His part, if a day were appointed for that diſcovery, He would be " ready to name One, who, by all the marks we could judge by, and by his for- " mer courſe of life, might very reaſonably be believ'd to be an Evil Councellor.

They were exceedingly apprehenſive that he meant the Marquis of *Hamilton* (who, for the reaſons aforeſaid, was very dear to them) that thenceforward, though they deſiſted not from proſecuting the Duke, till at laſt they had compell'd him to quit the Cinque-Ports to the Earl of *Warwick*, They no more urged the Diſcovery of Evil Councellors. And all the Familiar Friends of Mr. *Hyde*, were importuned to move him, " not to endeavour to do any Prejudice to the Marquis of *Hamilton*; and even the King himſelf, was prevail'd with to ſend to him to that purpoſe: So Induſtrious was that People, to Preſerve Thoſe, whom for private ends they deſired to preſerve, as well as to Deſtroy Thoſe, who they deſired ſhould be deſtroy'd.

Sr. Edward Deering's *Bill for extirpating Epiſcopacy revived in the Houſe of Commons, and Committed.*

When every body expected that nothing ſhould be mention'd in the Houſe but the diſpatch of the Treaty of the Pacification, by the Commiſſioners of both ſides; which was the only obſtruction to the diſcharge of the Armies, and which could be done in two days if they purſued it: They call'd in a Morning, " for the Bill (that had ſo long before been brought in by Sr. *Edward Deering*) " for the extirpation of " Epiſcopacy; and gave it a Second reading; and reſolv'd, " that it ſhould be committed to a Committee of the whole Houſe, and that " it ſhould be proceeded upon the next morning. It was a very long Debate the next morning, after the Speaker had left the Chair, Who ſhould be in the Chair for the Committee, They who wiſh'd well to the Bill, having reſolv'd " to put Mr. *Hyde* into the Chair, " that he might not give them trouble by frequent Speaking, and ſo too much ob- " ſtruct the expediting the Bill; They who were againſt the Bill, preſs'd, and call'd loud, " to Mr. *Crew* to be in the Chair: but in concluſion, Mr. *Hyde* was commanded to the Chair; They who were Enemies to the Bill being divided in opinion, many believing, that he would obſtruct the Bill more in that place, than if he remain'd at liberty: and they found it to be true.

The Firſt day the Committee ſate full ſeven hours, and determin'd, " that every day, " aſſoon as the Houſe was reſumed, the Chairman ſhould report the ſeveral Votes " of that day to the Houſe, which ſhould determine them before it roſe; which was without any Precedent, and very Prejudicial to the grave tranſaction of the buſineſs: For, beſides that it was a Prejudging the Houſe in its judgement, who, upon Report of the Committee, ſhould have regard to the whole Bill in the Amendments made by them, which They were precluded from, by having confirm'd the ſeveral days Votes; It was ſo late every day before the Houſe was reſumed (the Speaker commonly leaving the Chair about nine of the Clock, and never reſuming it till Four in the Afternoon) that it was very thin; They only, who proſecuted the Bill with impatience, remaining in the Houſe, and the Others, who abhor'd it, growing weary of ſo tireſome an attendance, left the Houſe at Dinner time, and afterwards follow'd their Pleaſures: So that the Lord *Falkland* was wont to ſay, " that They " who hated Biſhops, hated them worſe than the Devil, and that They who lov'd " them did not love them ſo well as their Dinner.

However, the Chairman gave ſome ſtop to their haſt; for, beſides that at the end of his report every day to the Houſe, before the Houſe put the Queſtion for the concurrence in the Votes, He always enlarged himſelf againſt every one of them, and ſo ſpent them much time; When They were in the heat and paſſion of the Debate, theyoftentimes were entangled in their queſtions; ſo that when He reported to the Houſe the work of the day, he did frequently report two or three Votes directly contrary to each other, which, in the heat of their debate, they had unawares run into. And after near Twenty days ſpent in that manner, they found themſelves very little advanced towards a Concluſion, and that they muſt Review all that they had done; and the King being reſolv'd to begin his journey for *Scotland*, They were forced to diſcontinue their beloved Bill, and let it reſt; Sr. *Arthur Haſlerig* declaring in the Houſe, " That he would never hereafter put an Enemy into the Chair: nor had they ever after the courage to reſume the conſideration of the Bill, till after the War was entred into.

The Bill laid aſide.

The time being come, within two or three days (according to his former Declaration) for the King's Journey into *Scotland*, the Houſe of Commons thought it time to lay aſide their Diſputes upon the Church, which every day grew more involv'd, and to intend the perfecting the Act of Pacification, and the Order for Disbanding; both which were thought neceſſary to be diſpatch'd, before his Majeſty ſhould begin his Progreſs; and might have been long ſince done. On a ſuddain, the Houſe of Commons grew into a perplex'd Debate, concerning the King's Journey into *Scotland* (which had been long before known, and ſolemnly promiſed by his Majeſty to the Commiſſioners of *Scotland*; where preparation was made for his reception, and the Parliament ſummon'd there accordingly) and expreſs'd many dark and doubtful apprehenſions of his Safety; not without ſome glances, "that if his Majeſty were once with his Army, he might poſſibly enter upon new "Counſels, before he conſented to Disband it; and in the end concluded, "to de-"ſire the Lords to join with them, in a Requeſt to the King, to defer his journey "into *Scotland*, till the Act of Pacification was paſs'd, the Armies disbanded, and "till ſuch other Acts were prepared, as ſhould be thought neceſſary for the good "of the Kingdom; without mentioning any time, againſt which thoſe things ſhould be ready: which, though it was an unreaſonable requeſt, yet, moſt men having no mind the King ſhould go into *Scotland*, it was conſented to by Both Houſes; and thereupon, an Addreſs was made to his Majeſty to that purpoſe: who return'd his Anſwer, "that He was ſorry, the Houſes having had ſo long "notice of his intentions for that Journey (which could not but appear very "reaſonable to them) had neglected to prepare all ſuch things, as were neceſſary "to be diſpatch'd by him before he went; That, though his preſence in *Scotland* "was depended upon, by ſuch a day, and the Diſappointment might beget ſome "Prejudice to him, yet, he was content to ſatisfy Their deſires ſo far, as to defer "his Journey for Fourteen days; within which time they might make all things "ready that were of importance, and beyond which time it would not be poſ-"ſible for him to make any ſtay.

This time being gotten, They proceeded but ſlowly in the Directions for Disbanding (though the Earl of *Holland* was gone down to the Army) or in the Act of the Pacification; but continued their mention "of Fears and Jealouſies of the "Peace of the Kingdom; of an Invaſion from Forreign parts; and an Inſurrection "of the Papiſts in *England*: againſt all which, they ſaid, there was not yet Suffi-"cient Proviſion, by the Laws and Conſtitution of the Kingdom. And therefore one day, Sr. *Arthur Haſlerig* (who, as was ſaid before, was uſed by that Party, like the Dove out of the Ark, to try what Footing there was) preferr'd a Bill "for the Settling the Militia of the Kingdom, both by Sea and Land, in Such "perſons as They ſhould nominate; with all thoſe Powers and Juriſdictions, which have been ſince granted to the Earl of *Eſſex*, or Sr. *Thomas Fairfax*, by Land, or to the Earl of *Warwick*, by Sea, There were in the Bill no Names, but Blanks to receive them, when the matter ſhould be paſs'd; though men were aſſured, that the Earl of *Eſſex* was their Confident by Land, and the Earl of *Northumberland* by Sea: and yet the inclination to the Earl of *Warwick* would have begot ſome diſturbance, if the matter had come then to be preſs'd.

Sr. Arthur Haſlerig *prefers a Bill for Settling the Militia.*

When the Title of this Bill was read, it gave ſo general an Offence to the Houſe, that it ſeem'd inclined to throw it out, without ſuffering it to be read; not without ſome Reproach to the perſon that brought it in, "as a matter of Se-"dition; till Mr. *Saint-John*, the King's Sollicitor, roſe up, and ſpoke to it, and (having, intruth, Himſelf drawn the Bill) ſaid, "He thought that Paſſion and Diſlike "very unſeaſonable, Before the Bill was read; That it was the higheſt Priviledge "of every Member, that he might Propoſe any Law, or make any Motion, which "in his Conſcience, he thought Advantagious for the Kingdom, or the Place for "which he ſerv'd. As for the Matter, which by the Title that Bill ſeem'd to "comprehend, He was of opinion, that ſomewhat was neceſſary to be done in it; "for He was ſure, that ſuch Power as might be neceſſary for the Security of the "Kingdom, over the Militia, was not yet by Law veſted in any perſon; or in the "Crown it ſelf: That They had lately by their Votes Blaſted and Condemn'd the "Power of Lords Lieutenants, and their Deputies, which had been long ex-"erciſed, and ſubmitted to by the People; That, ſince that was determin'd, it "was neceſſary to ſubſtitute Such in their room, as might be able to Suppreſs any "Inſurrection, or Reſiſt any Invaſion: And therefore, that it was fit to hear the "Bill

The Sollicitor Saint-John *ſeconds it.*

" Bill read; and if any fitting expedient was propoſed in it to that purpoſe, to " embrace it; otherwiſe, to think of a better. For the Nomination of Per- " ſons, it would not be ſeaſonable to ſpeak of it, till the Power and Juriſdiction were " firſt ſettled and conſtituted; and then, if it ſeem'd too great for any Subject, it " might be devolv'd upon the Crown; which Yet was not ſufficiently poſſeſs'd of " a Legal Power to the purpoſes aforeſaid.

Upon this Diſcourſe, by a perſon of the King's ſworn Council, the Bill was read; but with ſo univerſal a Diſlike, that it was never call'd upon the Second time, but ſlept, till long after the matter of it was digeſted in Ordinances. *The Bill read Once and no more.*

The peremptory day again drawing very near, for the King's journey into *Scotland*, and very little done towards the Publick, ſince the time they had prevail'd with his Majeſty to ſuſpend it, On a *Saturday*, in the Afternoon (the Progreſs being to begin on *Monday*) They again fell into violent Paſſion againſt the King's going into *Scotland*: the which they thought of ſo great importance to be hinder'd, that they reſolv'd (and prevail'd with the Lords to do the like) to Sit the next day, being *Sunday*; which had ſcarce ever before been known, ſince the firſt inſtitution of Parliaments; and which they thought fit to excuſe by a ſhort Declaration, that the People might not be thereby encouraged to Prophane the Sabbath.

When they found the King conſtant to his former Reſolution, and that all They could alledge could prevail no farther with him, than, whereas he intended to go on *Monday* after dinner, to ſtay till *Tueſday* morning. They very earneſtly propoſed " that He would leave a Commiſſion with ſome Perſons, to Paſs ſuch " Acts as ſhould be prepared and paſs both Houſes in his abſence; and to make " a *Cuſtos Regni*, to ſupply the place of Government till his return; with many other Extravagancies, which Themſelves underſtood not. But when they found that no ſuch Commiſſion could be Legally granted, to Conſent to any Acts that were not conſented to by Both Houſes at the date of the Commiſſion; and that both the Perſon and the Power of a *Cuſtos Regni*, would be duly weigh'd, and would take up much conſideration, if the King were willing to ſatisfy them; They were contented with a Commiſſion to the Earl of *Eſſex*, of Lieutenant-General on that ſide *Trent*: which his Majeſty having granted; and confirm'd the Act of Pacification between the two Kingdoms (which in great haſt was tranſacted in both Houſes, as if it had been only matter of Form) he took his journey from *London* towards *Scotland* toward the middle of *Auguſt*, leaving both Houſes ſitting at *Weſtminſter*. *The Act of Pacification being paſs'd, the King begins his journey towards* Scotland.

The unexpected Paſſion and Importunity to hinder his Majeſty's journey into *Scotland*, was not well underſtood; and the leſs, for that the Governing Party was divided upon it: Some of them, with trouble equal to what they had at any time expreſs'd, inſiſting upon his not going; Others alledging, " that his Majeſty was ſo far engaged in it, that " he could not in honour recede from it: Whilſt the *Scottiſh* Commiſſioners, who were often appeal'd and referr'd to in the Debate, anſwer'd ſo myſteriouſly, as argued rather a conveniency, and expectation of the Journey it ſelf, than any neceſſity in point of time. Neither was the ground of his Majeſty's ſo poſitive and unalterable reſolution of going thither, ſufficiently clear to Standers by; who thought he might have tranſacted the buſineſs of that Kingdom (where he could not reaſonably expect any great reverence to his Perſon) better at a diſtance; and that his Preſence might be more neceſſary in This.

But, as his Majeſty's impatiency to ſee both Armies disbanded, and this Kingdom freed from the Invaſion (both which he heartily deſired); and his deſire to refreſh himſelf, from the vexation which the Two Houſes, or One of them, or Some in one of them, daily gave him; hurried him to that Expedition, without well weighing and preparing how to comport himſelf through it: So no doubt, that oppoſition and inſtance againſt it (beſides the continued deſire they had to remove the King from any fix'd reſolution) was deſign'd partly, to procure an excuſe for the haſty paſſing the Bill of Pacification; which they had purpoſely retarded (foreſeeing there were many particulars in it, that if weigh'd, would never have been conſented to) till they might be ſo ſtraitned in time, that whoever objected againſt what was offer'd, might ſeem to hinder the Disbanding, and to neceſſitate the King's longer ſtay: but principally they hoped, that his Majeſty, rather than defer his Journey on which he was reſolv'd, would conſent to any unreaſonable qualifying Such perſons whom They ſhould name, with Power in his abſence: and moreover, probably there was ſome real Jealouſy of the *Scots* at

that

that time, and between the *Scottiſh* Commiſſioners themſelves (as was conceiv'd by ſome) by reaſon of great addreſſes made to the King by the Earl of *Rothes*, the principal and governing perſon of that Nation, and ſome inſinuation of favour from his Majeſty to him; ſo that they did in earneſt deſire to put off that Journey, for fear of diſturbance There.

The truth is, the King was well ſatisfied with the Promiſes made to him by that Earl, who deſired to live in this Court, and was to have been ſhortly made Gentleman of the Bed-chamber, and was in hope to marry a great and wealthy Lady : and it is certain, the King expected, by His help and intereſt, to have found ſuch a Party in *Scotland*, as would have been more tender of His honour than they after expreſs'd themſelves; and did always impute the failing thereof to the abſence of that Earl, who being ſick at the King's going from *London*, within ſix weeks after died. But Others believ'd, He had been ſo far guilty of what had been done amiſs, that he would neither have been able, nor willing, to preſerve the foundation of that Power, which might hardly have forgotten by what means it had been oppreſs'd.

The Iriſh Army Disbanded about this time.

I muſt not omit here, the Disbanding another Army, about the ſame time; the Circumſtances whereof were very remarkable, and the cauſe of much Trouble that enſued. The King perceiving that he was not now like to have any uſe of the new Army in *Ireland*; at leaſt not that uſe for which it was raiſed (which was to have viſited *Scotland*) and finding often mention, enviouſly and maliciouſly, made of that Army, in the Houſe of Commons; and having from thence (by the advice of the Committee for *Ireland*) receiv'd ſome Addreſſes for that purpoſe; reſolv'd to Disband them : and to that end, ſignified his Pleaſure to the Lords Juſtices of *Ireland*, and to the Earl of *Ormond* his Lieutenant General of that Army; directing withal (according to the laſt advice he had receiv'd from the Earl of *Strafford*) " that any Officers of the Army ſhould have free leave to tranſport what men they " could get of that Army, for the ſervice of any Prince in amity with this Crown: and ſhortly after, upon the earneſt deſire of *Don Alonſo de Cardenas*, Embaſſador from the King of *Spain*, his Majeſty conſented that four thouſand Soldiers of that Army ſhould be tranſported for the ſervice of that King into *Flanders*; at the ſame time permitting as many as deſired the ſame, to be tranſported for the ſervice of the *French* King. This was no ſooner known, but the Houſe of Commons interpoſed, with their accuſtomed confidence and diſtemper, " to beſeech his Ma- " jeſty to revoke that Licence; and by impertinent and ſlight reaſons, boldly urged and inſiſted on, as they did in every thing elſe, prevail'd with the King, " to in- " hibit the tranſporting any of thoſe Soldiers out of that Kingdom, for the ſervice " of any Prince whatſoever.

Many were of opinion, that this activity in a buſineſs of which They had not the leaſt connuſance, proceeded from the inſtigation of the Embaſſador of the *French* King; who was very converſant with the principal perſons of that Faction, and no doubt fomented thoſe humors out of which the Publick Calamities were bred; and ſome ſaid boldly, and one or two have ſince affirm'd it, as upon their knowledge, " that Mr. *Pym* receiv'd five thouſand pound from that *French* Mi- " niſter, to hinder that Supply to *Spain*. Others believ'd, that it proceeded only from that proud and petulant ſpirit which poſſeſs'd them, to leſſen the reputation of the King; and to let the King of *Spain* and all other Princes ſee the Power they had, to oppoſe and croſs His reſolutions in the moſt pure acts of Soveraignty. But I believe, though there might be a mixture of Both the other reaſons, the principal motive that induced them to that Interpoſition, was the advice and deſire of the Committee from the Parliament of *Ireland*, whoſe counſel was entirely follow'd in whatſoever concern'd that Kingdom; and who no doubt might have ſome proſpect of the Rebellion that ſhortly after broke out, which could hardly have taken effect, if that Body of men had been removed out of the Kingdom, according to the King's direction. But of that more in its place.

Aſſoon as the King begun his Journey for *Scotland*, all Orders, and what elſe was neceſſary, were diſpatch'd for the Disbanding; and a Reſolution taken, " to " ſend a Committee of Lords and Commons to attend his Majeſty (that is, to " be a Spy upon him) in *Scotland*, and to be preſent when the Act of Paci- " fication ſhould be tranſacted in that Parliament, and to preſerve the good In- " tercourſe and Correſpondence which was begun between the two Nations: but in truth, to lay the Scene how the next year ſhould be ſpent; and to beſpeak

beſpeak new Laws for This Kingdom, by the Copies of what ſhould be conſented to for That.

In this Errand, two Lords, and four of the Commons, were appointed to go; but for the two Lords, the Lord *Howard* of *Eſcrick* ſerv'd the turn; who was ready to be govern'd, by Mr. *Fiennes*, and Mr. *Hambden*, who, together with Sr. *William Armyn*, made up the Committee. Which being diſpatched, They thought it time to Breath a little, and to viſit their Countries, for whom they had done ſuch notable Service: and ſo towards the latter end of *Auguſt* (having firſt conſtituted a Committee to Sit during the receſs, for the diſpatch of any important occurrences, and qualifying them with Power They could not depute; Such a Committee, and Such a Qualification, having never Before been heard of in Parliaments) Both Houſes Adjourn'd themſelves till the middle of *October* following, by which time they preſumed the King would be return'd from *Scotland*; having, from the time that they were firſt convened, which was about nine months (longer time than ever Parliaments had before continued together in one Seſſion) beſides all the extraordinary Acts of Blood, and Power, procured the King's Aſſent to Theſe following important Laws; by ſome of which, the Kingdom might have receiv'd ample benefit and advantage.

The Acts Paſs'd ſince the beginning of this Parliament:

" A Bill for Triennial Parliaments: which took up a long Debate; there being many Clauſes, in caſe the Crown ſhould omit the ſending out of Writs, derogatory to Majeſty, and letting the Reins too looſe to the People: Yet, ſince it was evident, that great Inconveniences had befallen the Kingdom by the long Intermiſſion of thoſe Conventions; and that that Intermiſſion could not have happen'd, if there had not been ſome Neglect of what had been ſettled by former Laws; Therefore there was ſome colour of Reaſon for thoſe Clauſes, by Which the Crown could in no caſe Suffer, but by its Own Default. At laſt it found an eaſy paſſage through Both Houſes; and by his Majeſty (who was ſatisfied that ſuch a frequency of meeting with his People, as once in three years, might be more convenient than prejudicial to his Service; and believ'd, that by His conſenting to this Act, the proceedings in the Parliament would be more moderate) it had a favourable reception, and was Enacted by him the next day after it had paſs'd both Houſes.

An Act for Triennial Parliaments;

" An Act for the taking away the High Commiſſion Court: which comprehended much more, than was generally intended. That Juriſdiction was erected by a Statute in the Firſt year of Queen *Elizabeth*, inſtead of a larger Power which had been exerciſed under the Popes Authority, then aboliſh'd; and, whilſt it was exerciſed with moderation, was an excellent means to vindicate and preſerve the dignity and peace of the Church; though, from the beginning, it was murmur'd againſt by the Non-conformable Party of the Kingdom.

An Act for taking away the High Commiſſion Court;

But of late, it cannot be denied, that, by the great Power of ſome Biſhops at Court, it had much overflow'd the Banks which ſhould have contain'd it; not only in meddling with things that intruth were not properly within Their connuſance; but extending their Sentences and Judgements in matters tryable before them, beyond that degree that was Juſtifiable; and grew to have ſo great a Contempt of the Common Law, and the Profeſſors of it (which was a Fatal Unskilfulneſs in the Biſhops. who could never have Suffer'd whilſt the Common Law had been Preſerv'd) that Prohibitions from the Supream Courts of Law, which have, and muſt have, the Superintendency over all Inferior Courts, were not only Neglected, but the Judges Reprehended for granting them (which without Perjury They could not deny) and the Lawyers Diſcountenanced for moving for them (which They were obliged in Duty to do): So that thereby, the Clergy made almoſt a Whole Profeſſion, if not their Enemies, yet very Undevoted to them.

Then, it was grown from an Eccleſiaſtical Court, for the reformation of Manners, to a Court of Revenue; and impoſed great Fines upon thoſe who were culpable before them; ſometimes above the degree of the Offence, had the Juriſdiction of Fining been unqueſtionable: which it was not. Which courſe of Fining was much more frequent, and the Fines heavier, after the King had granted all that Revenue (whatſoever it ſhould prove to be) to be employ'd for the Reparation of St. *Paul*'s Church; which, though it were a glorious work, and worthy the Piety of Thoſe who advanced it, and the Greatneſs of His mind who principally intended it, made the Grievance the heavier.

By theſe means (beſides the Conflux and Influence of That part of the Clergy then in Town, which had formerly been Obnoxious, and Suppreſs'd by the Biſhops: Which I do not mention as any piece of Their Exorbitancy; for I do not know that

ever any Innocent Clergy-man Suffer'd by any Eccleſiaſtical Cenſure; though, it may be, the Guilty were More ſeverely proceeded againſt, and with Leſs Politick circumſtances, than the nature of that time required) that Court had very few Friends; and having many Enemies, the Propoſition for Aboliſhing it was eaſily hearkned to; of which the Violent Party readily taking notice, they who prepared the Bill inſerted Clauſes, that not only took away the High Commiſſion Court, which was intended, but, upon the matter, the whole Eccleſiaſtical Juriſdiction; and under pretence of Reforming the great Abuſes by the Oath *ex Officio*, and Excommunication, Deſtroy'd and Cancell'd all Coërcive Power whatſoever in thoſe Courts, which was never intended: Yet, in that hurry, it made a progreſs through Both Houſes, and attended the Royal aſſent. But, when his Majeſty underſtood the Extent thereof, and how far the Body of the Bill exceeded the Title; and that, inſtead of Reformation, it was opening a door to the moſt Scandalous Offences, and leaving Adultery and Inceſt as Unpuniſhable, as any other acts of good Fellowſhip; He made a pauſe in the Conſenting to it, till Both Houſes might review whether the Remedy were proportionable to the Diſeaſe.

Immediately the Fire was kindled againſt the Biſhops, as the Only Obſtacles to any Reformation; with ſome Paſſionate inſinuations, "that ſince they oppoſed a "due Regulation of their Power, there would be no way but to cut them off "Root and Branch. And thereupon, ſome Biſhops themſelves were again made inſtruments; and Others who pretended to take care of the Church, perſwaded the King, "for the Biſhops ſake, to confirm that Bill: whilſt the Deſigners were much pleaſed to find that Logick prevail; little doubting, but when they had taken away their Juriſdiction in the Church, by that Bill, and their Dignity in State, by removing them out of the Houſe of Peers, They ſhould find it no hard matter to aboliſh Their Names, and Titles out of the Kingdom; and to enjoy the goodly Lands and Revenues, which could only make the Reformation perfect and compleat. And in this manner that Law was enacted.

An Act for taking away the Star-chamber Court;

"A Bill for taking away the Star-chamber Court. The Progreſs of which Bill was this, The Exorbitancies of this Court had been ſuch (as hath been before touch'd) that there were very few Perſons of Quality, who had not Suffer'd, or been Perplex'd by the Weight or Fear of thoſe Cenſures and Judgements. For, having extended Their Juriſdiction, from Riots, Perjury, and the moſt notorious Miſdemeanours, to an Aſſerting all Proclamations, and Orders of State; to the Vindicating Illegal Commiſſions, and Grants of Monopolies (all which were the chief Groundworks of their late Proceedings): no man could hope to be longer free from the Inquiſition of that Court, than he reſolv'd to ſubmit, to thoſe, and the like extraordinary courſes. And therefore, there was an entire inclination, to Limit and Regulate the Proceedings of that Court: to which purpoſe, a Bill was brought in, and Twice read, and, according to cuſtom, Committed. It being return'd after, by the Committee, and the Amendments read; it was ſuddainly ſuggeſted (by a Perſon not at all inclined to Confuſion, or to the Violent Party that intended that Confuſion) "That the Remedies provided by that Bill, were not pro-"portionable to the Diſeaſes; That the Uſurpations of that Court, were not leſs "in the Forms of their Proceedings than in the Matter upon which they pro-"ceeded; inſomuch that the Courſe of the Court (which is the Rule of their "Judging) was ſo much Corrupted, that the Grievance was as much thereby, "in thoſe Caſes, of which they had a proper Connuſance, as it was by their Ex-"ceſs in holding Pleas of that, in which, in truth, They had no Juriſdiction: "and therefore he conceiv'd, the proper and moſt natural Cure for that Miſchief, "would be, utterly to Aboliſh That Court, which it was very difficult, if not "impoſſible, to Regulate; and in place thereof, to Erect and Eſtabliſh ſuch a "Juriſdiction as might be thought neceſſary. Hereupon, the ſame Bill was Recommitted, with direction, "ſo far to alter the frame of it, as might ſerve utterly "to take away, and aboliſh that Court: which was accordingly done; and again brought to the Houſe, and Ingroſs'd, and ſent up to the Lords. So that important Bill was never Read but Once in the Houſe of Commons, and was never Committed; which, I believe, was never before heard of in Parliament.

It could not meet with any Oppoſition in the Houſe of Peers. All who had been Judges There, having their ſeveral Judgements hanging like Meteors over their heads; and the Reſt, being either Grieved, or Frighted, by it: and ſo, being brought to his Majeſty, receiv'd his Royal aſſent.

Thus

Thus fell that High Court, a great Branch of the Prerogative; having rather been Extended and Confirm'd, than Founded, by the Statute of the Tenth year of King *Henry* the Seventh: For, no doubt, it had both a Being, and a Juriſdiction, Before that time, though vulgarly it receiv'd date from thence; and whilſt it was Gravely and Moderately govern'd, was an excellent Expedient, to Preſerve the Dignity of the King, the Honour of his Council, and the Peace and Security of the Kingdom. But the taking it away, was an act very Popular; which, it may be, was not Then more Politick, than the Reviving it may be thought hereafter, when the preſent Diſtempers ſhall be expired.

An Act for the certainty of Meets, Bounds, and Limits, of Forreſts;

" An Act for the Certainty of the Meets, Bounds, and Limits, of all the " Forreſts in *England*: which was a great Benefit and Eaſe to the People; who had been ſo immoderately vex'd by the Juſtice in Eyre's Seat (exerciſed with great Rigour by the Earl of *Holland*; and revived by Mr. *Noy*, when he was Attourney General) that few men could aſſure themſelves their Eſtates and Houſes might not be brought within the Juriſdiction of ſome Forreſt; the which if they were, it coſt them great Fines: and therefore, to eaſe Them of their future Fears, the King departed with his Own unqueſtionable Right (which would, a year before, have been purchaſed at the price of at leaſt two hundred thouſand pounds) without any murmur.

An Act limitting the Office of Clerk of the Market of his Majeſty's Houſe;

" An Act, that no Clerk of the Market of his Majeſty's Houſe, ſhould execute " his Office in any part of the Kingdom, but only within the verge of the Court: and " the execution of that Office, granted to Mayors, and Bayliffs, of Towns Corporate; " and to the Lords of Liberties and Franchiſes, and to their Deputies. By which, the People through *England*, were freed from many petty vexations, and extortions, which the Deputies and Agents for that Office (who commonly Farm'd the Perquiſites of it, within ſeveral limits) exerciſed over them. And let no man ſay, that This was but an Act of Juſtice, for the Redreſs of viſible Miſdemeanors which his own Officers were guilty of; and that his Majeſty parted with nothing of Profit to Himſelf, by that Act: for the Miſdemeanours of any Office may be Prevented, and Puniſh'd, and Redreſs'd, without the Taking away, or Suppreſſing, the Office it ſelf; which is an inſtance of Power, and Prerogative. And the other was uſed as an argument heretofore (which few men have ſince approv'd) for the paſſing away moſt of the Old Rents of the Crown, " that they yielded " little Profit to the Crown, being always ſwallow'd by the many Officers in- " cumbent upon that Service; without conſidering, that even thoſe Many Officers, are of the Eſſential Honour, and Greatneſs of Princes. But, as that Computation was very Erroneous in point of Thrift, ſo it is much more Scandalous in point of Power; and he, that thinks the King gives away nothing that is worth the keeping, when he ſuffers an Office, which keeps and maintains many Officers, to be aboliſh'd, and taken away, does not conſider, that ſo much of his Train is abated, and that he is leſs ſpoken of, and conſequently leſs eſteem'd in thoſe Places where that Power formerly extended; not obſerves, how Private men value themſelves, upon thoſe leſſer Franchiſes, and Royalties, which eſpecially keep up the Power, Diſtinction, and Degrees of men.

An Act for preventing Vexatious Proceedings touching the Order of Knighthood;

" An Act for the Prevention of Vexatious Proceedings touching the Order of " Knighthood: by which, to Expiate the Treſpaſſes which had been lately committed by the Rigorous circumſtances of Proceeding, upon that claim, the King Parted with, and Releas'd to his People, a Right, and Duty, as unqueſtionably Due to him by the Law, as any Service He can lay claim to; and ſuch, as the Subject receiv'd the Diſcharge of it, as a ſingular Benefit and Advantage.

An Act for the free making Salt-petre and Gun-powder within the Kingdom.

" An Act for the free making Salt-petre and Gun-powder within the Kingdom: which was a Part of the Prerogative; and not only conſiderable, as it reſtrain'd that precious and dangerous commodity from vulgar hands; but as in truth it brought a conſiderable Revenue to the Crown; and more to Thoſe, whom the Crown gratified and obliged by that Licence. The Pretence for this Exemption was " the Unjuſtifiable Proceedings of Thoſe (or of Inferior Perſons qualified by " them) who had been truſted in that employment; by whom, it cannot be denied, many men ſuffer'd: But the True Reaſon was, that thereby They might be ſure to have in readineſs a good Stock in that Commodity, againſt the time their occaſions ſhould call upon them.

An Act againſt divers Encroachments and Oppreſſions in the Stannery Courts!

" An Act againſt divers Encroachments and Oppreſſions in the Stannery Courts: the Logick of which Act, extended it ſelf to all Inferior Courts, and manner of Pro-

Proceedings throughout the Kingdom; though the full meaſure of that benefit, ſeemed to be poured out upon the two Counties of *Cornwal* and *Devonſhire*; the People whereof, had been ſo much oppreſs'd by the juriſdiction of that Court (ſupported and extended with great Paſſion and Fury by the Earl of *Pembroke*, the Lord Warden of thoſe Stanneries) that both Prohibitions, and *Habeas Corpus*'s from the King's Bench, had been diſobey'd and neglected; not without ſome Perſonal Affront, and Reproach, to all the Judges of that Court: and therefore, it could not but be great eaſe of heart to thoſe Parts, to be freed from the exorbitancy of that oppreſſion.

An Act againſt Ship-money.

"An Act, whereby all the Proceedings in the buſineſs of Ship money were "adjudged void, and diſanull'd, and the Judgements, Enrollments, and Entries, "thereupon, vacated, and cancell'd: which (how juſt and neceſſary ſoever) was a frank departure from a Right, vindicated by a Judgement in the Exchequer-Chamber, before all the Judges in *England*; and therefore deſerv'd a juſt acknowledegment; beſides that, ſome Clauſes in that Satute, aſſert the Subject's Liberty and Property, beyond what was done by the Petition of Right; which needed an additional eſtabliſhment.

Theſe Acts of Parliament, finiſh'd and enacted in the time we ſpeak of; beſides the quitting the long uſed Right of laying Impoſitions upon Forreign Trade, in the Preamble of the Bill for Tonnage and Poundage; and beſides that Fatal Bill for the Continuance of this Parliament; will be acknowledg'd, by an Incorrupted Poſterity, to be Everlaſting Monuments of the King's Princely and Fatherly Affection to his People; and ſuch an Obligation of Repoſe and Truſt from his Majeſty in the Hearts of his Subjects, that no expreſſions of Piety, Duty, and Confidence, from them, could have been more than a Sufficient Return on Their parts: which, how They perform'd, is to follow in the next place,

THE END OF THE THIRD BOOK.

27 AP 63

THE

THE
History of the Rebellion, &c.
BOOK IV.

Iſa. XVII. 12.

Wo to the Multitude of many People, which make a Noiſe like the noiſe of the Seas; and to the Ruſhing of Nations, that make a Ruſhing like the ruſhing of many Waters.

WHEN the King came to *York*, which was about the middle of *Auguſt*, he found no part of either Army Disbanded; for, though Orders had been iſſued to that purpoſe, yet the Money, without which it could not be done, was not yet come to hand: and, becauſe ſo great a Sum could not be preſently procured, as would Satisfy Both, an Act of Parliament had been paſs'd, for the Satisfaction of the Principal Officers of the King's Army, by which they were promiſed Payment, upon the Publick Faith, in *November* following; till which time they were to reſpite it, and be contented that the common Soldiers, and Inferior Officers, ſhould be Fully Satisfied upon their Disbanding.

The King came to York *in his journey towards* Scotland.

During the time of the King's abode at *York*, which was not many days, the Earl of *Holland*, Lord General, made a ſuit to him for the making a Baron; which, at that time, might have been worth to him ten thouſand pounds. Whether the King apprehended the making an unfit man, who might diſſerve him in the Houſe of Peers; or whether he reſolv'd to contain himſelf from enlarging that number, except upon an extraordinary relation to his Own Service; I know not: but he thought not fit, at that time, to gratify the Earl: by which, He took himſelf to be highly Diſobliged; (as the Courtiers of that time look'd upon whatſoever was Denied to them, as Taken from them) and having received ſome Information, from Sr. *Jacob Aſhley* and Sr. *John Coniers*, of ſome Idle Paſſages in the late tampering with the Army to Petition, which had not been before heard of; aſſoon as the King was gone towards *Scotland* (though his Majeſty hath ſince told me, "that he thought he had left him at parting, in very good humour and devotion, "to His Service) the Earl wrote a Letter to the Earl of *Eſſex*, to be communicated in Parliament, "that he found there had been ſtrange attempts made, to Pervert, and Corrupt the Army, but, he doubted not, he ſhould be able to prevent "any miſchief; the whole Senſe being ſo myſterious, that it was no hard matter, after it was read in the Houſes, to perſwade men, that it related to ſomewhat they had yet never heard; and being dated on the Sixteenth day of *Auguſt*, which muſt be the time that the King was there, or newly gone thence (for he took his Journey from *London* on the Tenth) ſeem'd to reflect on ſomewhat his Majeſty ſhould have attempted. Hereupon their Old Fears are awaken'd, and New ones infuſed into the People; every man taking the Liberty of making what interpretation he pleaſed, of that which no man underſtood.

Order of Both Houſes to Diſarm all Papiſts.

The Papiſts were the moſt Popular Common-place, and the Butt againſt whom all the Arrows were directed; and ſo, upon this new Fright, an Order was made by Both Houſes "for Diſarming all the Papiſts in *England*: upon which, and the like Orders, though ſeldom any thing was after done, or no matter of moment, yet it ſerv'd to keep up the Fears and Apprehenſions in the People, of Dangers and Deſigns, and to disincline them from any Reverence or Affection to the Queen, whom they begun every day more implacably to hate, and conſequently to diſoblige. And, as upon thoſe, and the like light occaſions, They grew to a licence of Language, without the leaſt reſpect of Perſons, of how Venerable eſtimation ſoever; ſo they departed from all Order or Regularity in Debate, or Rules and Meaſures in Judging; the chief Rulers amongſt them, firſt deſigning what They thought Fit to be done, and the Reſt concluding any thing Lawful, that They thought, in order to the doing and compaſſing the ſame: in which, neither Laws nor Cuſtoms could be admitted to ſignify any thing againſt Their ſenſe.

I remember, about that time, in the providing Money for the Disbanding the Armies, upon which they were marvellouſly ſollicitous, from the time that the King went towards the North, there aroſe a Queſtion, "Whether *Wilmot*, *Aſh-*
"*burnham*, and *Pollard*, ſhould receive their Pay due to them upon their ſeveral
"Commands, lying under the Charge of the Plot, for bringing up, and Cor-
"rupting the Army; very many Paſſionately alledging, "that Such men ought
"not to receive their Pay, who had Forfeited their Truſt: Yet there wanted not many who alledg'd, "that They had the Security of an Act of Parliament for their
"Payment, and that in Juſtice it could not be detain'd from them; that, though
"they lay under the Diſpleaſure of the Houſe, they were ſo far from a Judgement
"yet, that there was not ſo much as a Charge againſt them, but that they were
"at Liberty under Bail; and therefore, they could not be ſaid to have Forfeited
"any thing that was their own. In this Debate the Houſe ſeem'd equally divided, till One, who well knew what he ſaid, told them, "That there could not be
"any Reaſonable Pretence for Detaining their due, as well for the Reaſons that
"that had been given, as, that they were abſolutely Pardon'd by the late Act
"of Oblivion and Pacification, between the two Kingdoms: the which was no ſooner ſaid, than many of Thoſe who were before inclined to the Gentlemen, changed their opinions, and, without ſo much as calling to have the Statute read, declared, "That They could have no Benefit by that Act of Parliament, becauſe
"then, the ſame might be as well applied to the Arch-Biſhop of *Canterbury*. And ſo, without further weighing the Law, or the Reaſon, it was thought ſufficient, not only to exclude them from that Benefit, but to bar them from their Money; leaſt They might be thought to be admitted to it for That reaſon, which might prove an advantage to Another, to Whom they had no inclination to be Juſt. And no queſtion, They had been overſeen in the Penning that Statute; the Words, in their true and genuine ſignification and extent, comprehending as well the Arch-Biſhop of *Canterbury*, as Thoſe, who at that time had no contempt of the Security they reap'd thereby.

Soon after the King went into *Scotland*, there being ſome motion "to Adjourn the Houſes till after *Michaelmas*, which ſeem'd to be generally inclined to, very many of both Houſes, being willing to refreſh themſelves, after ſo long abſence from their homes; (the Summer being far ſpent, and the Plague increaſing; of which ſome Members had died; and others were in danger, having been in infected houſes) and conceiving, that there was no more to be done till the return of the King, ſaving only the procuring Money to finiſh the Disbanding; went into the Country: and others, who ſtaid in the Town, were leſs ſollicitous to attend the Publick Service; but betook themſelves to thoſe exerciſes and refreſhments which were pleaſanter to them: inſomuch, as within twenty days after the King's remove, there were not above Twenty Lords, nor much above a hundred Commoners, in Both Houſes. But This was the advantage look'd for; Thoſe Perſons continuing (eſpecially in the Houſe of Commons) to Whoſe care and managery the Whole Reformation was committed, they Now entred upon the conſultation of the higheſt matters, both in Church and State; and made attempts and entries upon thoſe Regalities and Foundations, which have been Since more evident in wider and more notorious Breaches.

From the liberty and ſucceſs of adviſing what was Fit to be done out of the Kingdom, with reference to the Levies for *France* and *Spain*, They aſſumed the ſame

ſame freedom, of conſulting and determining what was Not fit, within the walls of the Church; and finding their numbers to be ſo thin, that they might, by art or accident, prevail with the major part to be of Their mind; and to gratify the more Violent Party of the Reformers; (who, with great impatience, ſuffer'd themſelves to be contain'd within any bounds or limits, by Thoſe who knew better how to conduct their buſineſs) They entred upon debate of the Book of Common-Prayer; which ſure, at that time, was much reverenced throughout the Kingdom) and propoſed "in regard (they ſaid) many things in it gave offence, at leaſt "umbrage to tender Conſciences, That there might be liberty to Diſuſe it: which Propoſition was ſo ungracious, that, though it was made in a thin Houſe; and preſs'd by Thoſe who were of the greateſt Power and Authority; It was ſo far from being conſented to, that, by the major part (the Houſe conſiſting then of about Sixſcore) it was Voted, That it ſhould be duly obſerv'd.

However, the next day, contrary to all Rules and Orders of Parliament, very many being abſent who had been active in that Debate, They Suſpended that Order; and Reſolv'd "That the Standing of the Communion-Table in all Churches ſhould be alter'd; the Rails (which in moſt Places had been ſet up for the greater Decency) "ſhould be pull'd down; that the Chancels ſhould be "levell'd, and made even with all other parts of the Church; and that no man "ſhould preſume to bow at the Name of *Jeſus* (which was enjoin'd by a Canon, and of long uſe in the Church): and having digeſted theſe Godly Reſolutions into an Order, they carried it up to the Lords for Their concurrence; promiſing themſelves, that from the ſmall number which remain'd there, they ſhould find no diſſent. But the major part of the Lords being much ſcandalized, that the Houſe of Commons ſhould not only unſeaſonably, and irregularly, interpoſe in a matter wherein they had not the leaſt juriſdiction; but ſhould preſume to diſturb the Peace of the Church, and interrupt the Settled and Legal Government thereof, by ſuch Schiſmatical preſumption; not only refuſed to join with them, but inſtead thereof, directed an Order, formerly made by the Houſe of Peers (on the Sixteenth of *January* before) to be Printed, to this effect, "That the Divine Service "ſhould be perform'd, as it is appointed by the Acts of Parliament of this Realm, "and that all Such as ſhall Diſturb that Wholeſom Order, ſhall be Severely Pu-"niſh'd according to Law; and acquainted the Commons therewith: Who nothing ſatisfied, purſued their former Order; and "commanding all the Commons of "*England* to Submit to Their direction, declared, That the Order of the Lords "was made by the Conſent but of Eleven Lords, and that Nine other Lords did Diſſent "from it; and therefore, that No Obedience ſhould be given thereunto. Whereas, the Order had been made in Full Parliament, ſeven months before; and was Seaſonably order'd to be Publiſh'd, by the Major Part preſent, upon that Important occaſion. And Such an Arraigning the Houſe of Peers, for Publiſhing an Order in maintainance of the Laws eſtabliſh'd; by Thoſe who had no Authority to declare what the Law was; nor a Juriſdiction over Thoſe who ſhould infringe the Law; was ſo tranſcendent a Preſumption, and Breach of Priviledge, that there was great expectation what the Lords would do in their own Vindication.

An Ordinance of Both Houſes for a Day of Thankſgiving, on occaſion of the Pacification.

There was one Clauſe in the Act of Pacification, "that there ſhould be a Pub-"lick and Solemn Day of Thankſgiving, for the Peace between the two King-"doms of *England* and *Scotland*: But no day being appointed for that act of Indevotion, the Lords and Commons aſſumed the Power to themſelves of directing it; and to that purpoſe, made an Ordinance (as they call'd it) "that it "ſhould be obſerv'd on the Seventh of *September* following, throughout the "Kingdom of *England* and Dominion of *Wales*. Which was done accordingly: the Factious Miniſters in all Pulpits, taking occaſion then to magnify the Parliament, and the *Scots*; and to infuſe as much Malignity into the People, againſt Thoſe who were not of that Faction; as their Wit and Malice could ſuggeſt. The Houſe of Commons celebrating that day in the Chappel at *Lincoln*'s-Inn; becauſe the Biſhop of *Lincoln*, as Dean of *Weſtminſter*, had form'd a Prayer for that occaſion, and enjoin'd it to be read on that day, in thoſe Churches where He had Juriſdiction; which they liked not: both as it was a Form; and form'd by Him; and ſo avoided coming there.

After the Solemnization of that day: and Their making their Declaration againſt the Lords, about the Order above mention'd; and the recommending ſome Seditious, Unconformable Miniſters, to be Lecturers in Churches about *London*, whom the

the Incumbents were compell'd to receive: When They had great appehenſion,
Sept. 9. 1641. by their Members leaving them, that they ſhould not have Forty remaining (leſs than which number could not conſtitute a Houſe of Commons) They conſented to a Receſs; and on the Ninth day of *September*, 1641, They Adjourn'd themſelves till the Twentieth day of *October* following: Either Houſe irregularly (for the like had never been before practiſed) making a Committee, to meet twice a week, and oftner, if They ſaw cauſe, during the Receſs, and to tranſact ſuch buſineſs as they were authorized to do by their inſtructions.

Both Houſes Adjourn'd to Octob. 20. *appointing a Committee of Each to Sit during the Receſs.*

The Powers of the Committee of the Houſe of Lords:

The Houſe of Lords limited Their Committee (which conſiſted of the Earls of *Eſſex*, *Warwick*, the Lords *Wharton*, *Kimbolton*, and Twelve more; but every Three were as able to tranſact as the whole number) by their Inſtructions, "only to "open the Letters which ſhould come from the Committee in *Scotland*, and to "return Anſwers to them; with Power to recal that Committee, when they "thought fit; to ſend down Moneys to the Armies; and to aſſiſt about their Diſ-"banding; and in removing the Magazines from *Berwick* and *Carliſle*.

Of the Houſe of Commons.

But the Houſe of Commons thought this Power too narrow for Their Committee; and therefore, againſt Order too (for the Power of the Committees of Both Houſes ought to have been equal) They qualified theirs (which conſiſted of Mr. *Pym*, Mr. *Saint-John*, Mr. *Strode*, Sr. *Gilbert Gerrard*, Sr. *Henry Mildmay*, Sr. *Henry Vane*, Alderman *Pennington*, Captain *Venn*, and Others; every Six having the Authority of the Whole) as well with the Powers granted to the Lords, as likewiſe, 'to go on in preparation of Proceedings againſt ſuch De-"linquents, as were voted againſt, or complain'd of in the Houſe; and to receive "any offers of Diſcovery that they ſhould make; To ſend to all Sheriffs, and Ju-"ſtices of Peace, upon information of any Riots, or Tumults; to ſtir them up in "their Duty in Repreſſing them; and to report to their Houſe any Failing in obe-"dience to Their Commands; To take the Accounts of any Accountants to his "Majeſty, in order to the preparation of his Majeſty's Revenue; To conſider of "framing and conſtituting a *Weſt India* Company; and to conſider the Fiſhing, "upon the coaſts of *England*, *Scotland*, and *Ireland*; and many other extravagant particulars: which ſerv'd to magnify the Authority of that Committee; and to draw Reſort and Reverence to them from almoſt all ſorts of men.

The Buſineſs before the Committee of the Commons.

The Houſes being thus Adjourn'd; the Committee of the Commons appointed Mr. *Pym* to ſit in the Chair; who, forthwith, with his own hand, Sign'd the Printed Declarations before mention'd, of the Ninth of *September*; and cauſed them to be ſo Read in all Churches in *London*, and throughout the Countries. Whereupon, the Seditious and Factious perſons, cauſed the Windows to be broken down in Churches; broke down the Rails, and removed the Communion-Table (which, in many places, had ſtood in that manner ever ſince the Reformation); and committed many Inſolent and Scandalous Diſorders. And when the Miniſter, and the Graver and more Subſtantial ſort of Inhabitants, uſed any Oppoſition, and Reſiſted ſuch their Licence, They were immediately required to attend the Committee; and, if they could be neither perſwaded, nor threatned to Submit, their attendance was continued from day to day, to their great Charge and Vexation. If any Grave and Learned Miniſter, refuſed to admit into his Church, a Lecturer recommended by Them (and I am confident, there was not, from the beginning of this Parliament, one Orthodox, or Learned man, recommended by them to any Church in *England*) He was preſently required to attend upon the Committee; and not diſcharged till the Houſes met again; and Then likewiſe, if he eſcaped Commitment, continued to his intolerable Loſs and Trouble: few men having the Patience to endure that Oppreſſion, Againſt which they knew not whither to Appeal; and therefore in the end Submitted to what they could not Reſiſt: And ſo all Pulpits were ſupplied, with their Seditious and Schiſmatical Preachers.

The Armies Disbanded.

The Armies were at laſt Disbanded; and, about the end of *September*, the Earl of *Holland*, in great Pomp, return'd to his Houſe at *Kenſington*; where he was viſited and careſs'd, with great application, by all the Factious Party: for he had now, whether upon the Diſobligation remembred before, of being denied the making a Baron; or upon ſome Information, of ſome ſharp Expreſſions uſed by the Queen upon his Letter; and the Conſcience of that Letter; or the apprehenſions of being Queſtion'd, and Proſecuted, upon the Enormities of his Office of Chief Juſtice in Eyre; and other Tranſgreſſions; fully declared himſelf of Their Party. And that They might be the better prepared to keep up the Prejudice to

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the King, and the Keenneſs againſt the Court, till the coming together of both Houſes; when, they had reaſon to believe, the obſervation of their crooked and indirect Courſes, and their viſible, unwarrantable Breaches, upon the Church, and the Religion eſtabliſh'd by Law, would render men leſs devoted to them; his Lordſhip furniſh'd them with many Informations of what had paſs'd in the late Army, which might be wreſted to the King's diſadvantage: told them what ever the King himſelf had ſaid to him, when He look'd upon him as a Perſon True to him, and when, it is very probable, He was not much delighted with the Proceedings at *Weſtminſter*; and of all the particulars, which Sr. *Jacob Aſhley*, and Sr. *John Coniers* had inform'd him, when they took him to be of entire Truſt with his Majeſty, and wholely under that conſideration; (whereupon, they were afterwards examin'd, and compell'd to teſtify That in Publick, which they had before imparted to Him in the greateſt Secrecy) and added to all this, whatever information he had receiv'd by the Lady *Carliſle*, of Words or Actions, ſpoken or done by the Queen, which might increaſe Their Jealouſy or Malice to her Majeſty. And He himſelf (who had been always believ'd a Creature of the Queen's; and exceedingly obliged, and protected, by Her immediate and ſingle grace and favour, againſt the Earl of *Portland*, the Earl of *Strafford*, and the Arch-Biſhop of *Canterbury*, in thoſe times when They had otherwiſe deſtroy'd him) viſited her Majeſty but once, from the time of His return out of the North, to the time of the King's return from *Scotland*, which was full ſix weeks. And yet, there were ſome men ſtill at thoſe private meetings at *Kenſington*, who thought the Queen's Favour a likelier means for their Preferment, than the Intereſt of the Others, and therefore always gave advertiſement to her of what paſs'd in that company: which information, for want of due care in the managery; and by reaſon of the unfaithfulneſs of her neareſt Servants; commonly produced ſomewhat, of which the other Side made greater advantage, than She could do by the knowledge of their counſels and reſolutions.

The ſhort Receſs of the Parliament, though it was not much above the ſpace of a Month, was yet a great Refreſhment, to thoſe who had Sate near a full Year, Mornings and Afternoons, with little or no intermiſſion; and in that warm region, where Thunder and Lightning was made. Some very Unwarrantable Proceedings, by the Committee that Sate during the Receſs; or Mr *Pym*, who ſate in the Chair of that Committee, and iſſued out thoſe Orders concerning the Church; gave ſo much Offence, and Scandal, that the Members were like to meet together with more Courage, and leſs inclinations to Novelties, than they had parted with. But there were ſeveral Accidents fell out, ſome from very little, and ſome from very great Cauſes, which had that Influence upon the Nature and Spirit of men, and upon the Actions of that time, that, for the better underſtanding ſome particular Paſſages, which will appear pertinent, it will be even neceſſary, briefly, and it ſhall be but very briefly, to mention ſome of thoſe Particulars,

A ſmall Committee of Both Houſes attended the King in Scotland.

When the King went into *Scotland*, for the better preſerving the Correſpondence between the two Kingdoms, as was pretended; and to ſee all things perform'd which were to be done in the Parliament of *Scotland*, by the Act of Pacification; a ſmall Committee (as hath been before ſaid) was appointed by the two Houſes, conſiſting of one Lord, and two Commons, to Attend (as the Phraſe was) upon his Majeſty: but, in truth, to be Spies upon him; and to give the ſame aſſiſtance to the Parliament There, upon any emergent occaſion, as the *Scottiſh* Commiſſioners had done Here.

For the Lords, the Lord Howard *of* Eſcrick.

The Perſon appointed by the Lords, was the Lord *Howard* of *Eſcrick*; a younger Son of the Houſe of *Suffolk*; who, in the time of the Duke of *Buckingham*, married a Niece of his; and having his whole dependence upon him, and being abſolutely govern'd by him, was by him made a Baron; but that Dependence being at an end; his wife dead; and He without any Virtue to promote himſelf; He withdrew himſelf from following the Court; and ſhortly after, from Wiſhing it well; and had now, deliver'd himſelf up, Body and Soul, to be diſpoſed of by that Party, which appear'd moſt Averſe, and Obnoxious, to the Court and the Government: and only in that Confidence, was deſign'd to that Employment; and to be entirely Diſpoſed and Govern'd by the two Members, who were join'd with him by the Houſe of Commons; who were, Sr. *Philip Stapleton*, and Mr. *Hambden*.

For the Commons, Sr. Philip Stapleton, *Mr.* Hambden.

The Latter hath been mention'd before, as a man of great Underſtanding, and Parts; and of great Sagacity in diſcerning mens natures and manners; and he muſt, upon all occaſions, ſtill be mention'd, as a perſon of great Dexterity and Abilities, and Equal to any truſt or employment, good or bad, which he was inclined to undertake.

The Other, Sr. *Philip Stapleton*, was a proper man, of a fair extraction; but, being a Branch of a Younger Family, inherited but a moderate Eſtate, about five hundred pounds a year, in *Yorkſhire*; and, according to the cuſtom of that Country, had ſpent much time in thoſe delights which Horſes and Dogs adminiſter. Being return'd to ſerve in Parliament, He concurr'd with his Neighbours, *Hotham* and *Cholmondley*; being much younger than they, and govern'd by them in the Proſecution of the Earl of *Strafford*; and ſo was eaſily receiv'd into the Company and Familiarity of that whole Party which took that work to heart; and in a ſhort time, appear'd a man of Vigour in body and mind; and to be rather Without good Breeding, than not Capable of it; and ſo He quickly outgrew his Friends and Country-men, in the Confidence of Thoſe who govern'd: They looking upon him, as worth the getting entirely to them; and not averſe from being gotten; and ſo join'd him with Mr. *Hambden* in this their firſt employment (and the Firſt, that ever a Parliament had of that kind) to be initiated under ſo great a Maſter; whoſe Inſtruction He was very capable of.

Tranſactions in Scotland, *touching* Montroſs, Argyle, *and* Hamilton.

There had been, even from the time the *Scottiſh* Army came into *England*, many Factions, and Jealouſies, amongſt the Principal Perſons of that Nation; but none ſo much taken notice of, as that between the two Earls, of *Montroſs*, and *Argyle*. The Former took himſelf to have Deſerv'd as much as any man, in contributing more, and appearing ſooner, in Their firſt approach towards Rebellion; as indeed he was a man of the beſt Quality, who did ſo ſoon diſcover himſelf: and it may be he did it the ſooner, in Oppoſition to *Argyle*; who, being then of the King's Council, he doubted not, would be of his Majeſty's Party. The People look'd upon them Both, as Young men, of unlimited Ambition; and uſed to ſay, "That "they were like *Cæſar* and *Pompey*, the one would endure no Superiour, and the "Other would have no Equal. True it is, that from the time that *Argyle* declared himſelf againſt the King (which was immediately after the firſt Pacification) *Montroſs* appear'd with leſs vigour for the Covenant; and had, by underhand and ſecret inſinuations, made proffer of his Service to the King. But now, after his Majeſty's arrival in *Scotland*, by the introduction of Mr. *William Murray* of the Bed-chamber, He came privately to the King; and inform'd him of many particulars, from the beginning of the Rebellion; and "that the Marquis of *Hamilton*, "was no leſs Faulty, and Falſe towards his Majeſty, than *Argyle*; and offer'd "to "make Proof of all in the Parliament; but rather deſired, "to have them Both "made away; which He frankly undertook to do: but the King abhorring that expedient, though for his own Security, adviſed, "that the Proofs might be pre-"pared for the Parliament. When ſuddainly, on a *Sunday* morning, the City of *Edenborough* was in Arms; and *Hamilton*, and *Argyle*, both gone out of the Town to their own Houſes; where they ſtood upon their guards; declaring publickly, "That they had withdrawn themſelves, becauſe they knew that there "was a deſign to Aſſaſſinate them; and choſe rather to abſent themſelves, than by "ſtanding upon their Defence in *Edenborough* (which they could well have done) "to hazard the Publick Peace, and Security of the Parliament; which thunder'd on their behalf.

The Committee at *Edenborough* diſpatch'd away an Expreſs to *London*, with a dark and perplex'd account, in the morning that the two Lords had left the City; with many doubtful expreſſions, "what the end of it would be: not without ſome dark inſinuations, as if the Deſign might look farther than *Scotland*. And theſe Letters were brought to *London*, the day before the Houſes were to come together, after the Receſs; all That Party taking pains to Perſwade Others, "that it could not but be a Deſign, to Aſſaſſinate More Men than thoſe Lords at "*Edenborough*.

And the morning the Houſes were to meet, Mr. *Hyde* being walking in *Weſtminſter*-Hall, with the Earl of *Holland* and the Earl of *Eſſex*, Both the Earls ſeem'd wonderfully concern'd at it; and to believe, "that Other men were in danger of "the like Aſſaults; the Other, not thinking the Apprehenſion worthy of them, told them merrily, "that He knew well what opinions They Both had of thoſe

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" two Lords, a Year or two before, and he wonder'd how they became ſo alter'd; to which They anſwer'd ſmiling, " That the Times and the Court was much " alter'd ſince. And the Houſes were no ſooner Sate, but the Report being made in the Houſe of Commons; and the Committee's Letter from *Scotland* being Read; a Motion was made, " to ſend to the Houſe of Peers, that the Earl of " *Eſſex*, who was left by the King, General on this Side *Trent*, might be deſired " to appoint ſuch a Guard, as He thought competent for the Security of the Par- " liament, conſtantly to attend while the Houſes ſate, which was done accordingly; and continued, till They thought fit to have other Guards. All which was done to Amuſe the People, as if the Parliament were in Danger: when in *Scotland*, all things were quickly Pacified; and ended in creating the Marquis *Hamilton* a Duke, and *Argyle* a Marquis.

The Earl of Eſſex appoints a Guard for the Security of the Parliament.

There was a worſe Accident than all theſe, which fell out in the time of the King's ſtay in *Scotland*, and about the time of the two Houſes reconvening; which made a wonderful impreſſion upon the minds of men; and proved of infinite Diſadvantage to the King's affairs, which were then recovering new life; and that was the Rebellion in *Ireland*: which broke out about the middle of *October*, in all parts of the Kingdom. Their deſign upon *Dublin* was miraculouſly diſcover'd, the night before it was to be executed; and ſo the Surprizal of that Caſtle prevented; and the principal Conſpirators, who had the charge of it, apprehended. In the other parts of the Kingdom, They obſerv'd the time appointed, not hearing of the Misfortunes of their Friends at *Dublin*. A general Inſurrection of the *Iriſh*, ſpread it ſelf over the whole Country; in ſuch an Inhumane and Barbarous manner, that there were Forty or Fifty Thouſand of the *Engliſh* Proteſtants murther'd before they ſuſpected themſelves to be in any danger; or could provide for their Defence, by drawing together into Towns, or ſtrong Houſes.

News of the Rebellion in Ireland.

From *Dublin*, the Lords Juſtices, and Council; diſpatch'd their Letters by an Expreſs (the ſame man who had made the Diſcovery, one *Oconelly*, who had formerly been a Servant to Sr. *John Clotworthy*) to *London*, to the Earl of *Leiceſter*, then Lord Lieutenant of *Ireland*. From the Parts of the North, and *Ulſter*, an Expreſs was ſent to the King himſelf, at *Edenborough*; and the King's Letters from thence, to the two Houſes, arrived within leſs than two days, after the Meſſenger from *Dublin*.

It was upon a *Sunday* night, that the Letters from *Dublin* came to the Earl of *Leiceſter*; who immediately cauſed the Council to be ſummon'd, and aſſoon as it was met, inform'd them of the condition of *Ireland*; that is, ſo much as thoſe Letters contain'd: which were written, when little more was known than the Diſcovery at *Dublin*; and what the Conſpirators had confeſs'd upon their examinations. The Houſe of Peers had then adjourn'd it ſelf to the *Wedneſday* following; but the Houſe of Commons were to meet on the next day, *Monday* morning; and the Council reſolv'd, " that they would in a Body go to the Houſe " of Commons, aſſoon as it Sate, and inform them of it; which they did; notice being firſt given to the Houſe, " that the Lords of the Council had ſome matters " of Importance to impart to them, and were above in the Painted Chamber ready " to come to them: whereupon Chairs were ſet in the Houſe for them to repoſe themſelves, and the Serjeant ſent to conduct them. Aſſoon as they entred the Houſe, the Speaker deſired them to Sit down; and then being cover'd, *Littleton*, Lord Keeper, told the Speaker, " That the Lord Lieutenant of *Ireland*, having " receiv'd Letters from the Lords Juſtices and Council there, had communicated " them to the Council; and ſince the Houſe of Peers was not then Sitting. " They had thought fit, for the Importance of the Letters, to impart them to " that Houſe; and ſo referr'd the buſineſs to the Lord Lieutenant; who, without any enlargement, only read the Letters he had receiv'd, and ſo the Lords departed from the Houſe.

The Lords of the Council acquaint the Houſe of Commons with the News. The Houſe of Lords not Sitting.

There was a deep Silence in the Houſe, and a kind of Conſternation; moſt mens heads having been Intoxicated from their Firſt meeting in Parliament, with imaginations of Plots, and Treaſonable Deſigns, through the Three Kingdoms. The affair it ſelf ſeem'd to be out of their cogniſance; and the communication of it, ſerv'd only to prepare their thoughts, what to do when more ſhould be known; and when they ſhould hear what the King thought fit to be done. And when the King's Letters arrived, they were glad the news had come to him, when he had ſo good Council about him to adviſe him what to do.

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The King was not then inform'd of what had been diſcover'd at *Dublin*; but the Letters out of *Ulſter* (which he ſent to the Parliament) gave him notice "of a "general Inſurrection in the North; and of the Inhumane Murthers committed "there, upon a multitude of the Proteſtants; and that Sr. *Phelim O Neil* appear'd "as their General and Commander in chief.

His Majeſty writes to the two Houſes about it.

Upon which his Majeſty writ to the two Houſes, "That he was ſatisfied that it was no Raſh Inſurrection, but a Form'd Rebellion; which muſt be Proſecuted with "a ſharp War; the conducting, and proſecuting whereof, he wholely committed "to their Care and Wiſdom, and depended upon Them for the carrying it on; "and that for the preſent, He had cauſed a ſtrong Regiment, of Fifteen hundred "Foot, under good Officers, to be tranſported out of *Scotland* into *Ulſter*, for the "Relief of thoſe Parts: which were upon the matter wholely inhabited by *Scots* and *Iriſh*; there being fewer *Engliſh* there, than in any part of *Ireland*.

This fell out to their wiſh; and thereupon, they made a Committee of Both Houſes, "for the conſideration of the affairs of *Ireland*, and providing for the ſup-"ply of Men, Arms, and Money, for the Suppreſſing that Rebellion; the Lord Lieutenant of *Ireland* being one of the Committee: which ſate every morning in the Painted Chamber; and the Lord Lieutenant firſt communicated all the Letters he receiv'd, to Them to be conſulted on, and to be thence reported to the two Houſes; which were hereby poſſeſs'd of a large Power, and Dependence; all men applying themſelves to Them, that is to the chief Leaders, for their Preferments in that War: the Miſchief whereof, though in the beginning little taken notice of, was afterwards felt by the King very ſenſibly.

Theſe concurrent Circumſtances, much alter'd and ſuppreſs'd that good humour and ſpirit the Houſes were well diſpoſed to meet in; and the Angry men, who were diſappointed of the Preferments they expected, and had promiſed themſelves, took all occaſions, by their Emiſſaries, to inſinuate into the minds of the People, "that this Rebellion in *Ireland*, was contrived and fomented by the King; or at "leaſt by the Queen, for the advancement of Popery; and that the Rebels pub-"liſh'd and declar'd, That they had the King's Authority for all they did: which Calumny, though without the leaſt Shadow or Colour of Truth, made more Impreſſion upon the minds of Sober and Moderate men (who, till that time, had much diſliked the Paſſionate Proceedings of the Parliament) than could be Then imagin'd; or can Yet be believ'd. So great a Prejudice, or Want of Reverence, was univerſally contracted againſt the Court: eſpecially the Queen; whoſe Power and Activity was thought too great.

A Committee revived for drawing up a Remonſtrance.

Shortly after the beginning of the Parliament, there had been a Committee appointed, "to prepare and draw up a general Remonſtrance of the ſtate of the "Kingdom, and the particular Grievances it had ſuſtain'd; but it ſcarce met, or was ever after ſpoken of: But now, the Houſes no ſooner met after their Receſs, than Mr. *Strode* (one of the Fierceſt men of the Party; and of the Party only for his Fierceneſs) moved, "That that Committee might be revived, and order'd to "meet; for which, of courſe, a time and place was appointed: by which men eaſily diſcern'd, that nothing of their Fury was abated; but rather increaſs'd, in that they found their credit every day leſſen'd in the Houſe, by the oppoſition and contradiction they ſuſtained. And they being thus diſquieted; and knowing little; and ſo doubting much; every day ſeem'd to them to produce a new Diſcovery, of ſome new Treaſon, and Plot, againſt the Kingdom. One day, "a Letter from "beyond Seas, of great Forces prepared to Invade *England*, another, "of ſome "Attempt upon the life of Mr. *Pym*: and no occaſion omitted, to ſpeak of the "Evil Council about the King: when ſcarce a Councellor durſt come near him; or be ſuſpected to hear from him.

A new Bill in the Houſe of Commons to take away Biſhops Votes.

After ſome days, a new Bill was preſented to the Houſe of Commons, "for "the taking away the Biſhops Votes in Parliament; and for Diſabling them "to exerciſe any Temporal Office in the Kingdom: againſt which was objected, "That it was contrary to the Courſe and Order of Parliament, that any Bill "that had been Rejected, ſhould be again Preferr'd the ſame Seſſion; and there-"fore it ought not to be ſo much as Read: to which nothing was replied but Noiſe; and "that this Bill varied in ſome clauſes from the former; and that the "Good of the Kingdom abſolutely depended upon it: and ſo, by the majority of voices, it was order'd to be Read, and afterwards, without any very conſiderable oppoſition, Paſs'd the Houſe, and was tranſmitted to the Lords: the greateſt argument

argument being, "That their intermeddling with Temporal affairs, was in-"consiſtent with, and deſtructive to, the exerciſe of their Spiritual Function. Whilſt Their Reformation, both in *Scotland*, and this Kingdom; was driven on by no men ſo much, as Thoſe of Their Clergy who were their Inſtruments. As, without doubt, the Arch-Biſhop of *Canterbury* had Never ſo great an Influence upon the Counſels at Court, as Dr. *Burgeſs*, and Mr. *Marſhal*, had Then upon the Houſes; neither did all the Biſhops of *Scotland* together, ſo much meddle in Temporal affairs, as Mr. *Henderſon* had done.

The King fills up divers vacant Biſhopricks in England.

There being at this time, the Biſhopricks of *Worceſter*, *Lincoln*, *Exeter*, *Chicheſter*, and *Briſtol*, Void, by Death, or Tranſlation; the King, during the time of his being in *Scotland*, collated to thoſe Sees, Dr. *Prideaux*, the King's Profeſſor of Divinity in *Oxford*; Dr. *Winniff*, Dean of St. *Pauls*; Dr. *Brownerigg*, Maſter of of *Catherine* Hall in *Cambridge*; Dr. *Henry King*, Dean of *Lichfield*; and Dr. *Weſtfield* of Great St. *Bartholomews*, *London*: all of great Eminency in the Church; frequent Preachers; and not a man, to whom the Faults of the Then Governing Clergy were imputed; or againſt whom the leaſt Objection could be made.

The Commons offended at it.

Aſſoon as the Houſe of Commons heard of this deſignation of his Majeſty's (having then newly the Second time ſent up to the Houſe of Peers, their Bill to remove Biſhops from thence) They were much troubled, that at a time when They reſolv'd to take away the Old the King ſhould preſume to make New Biſhops; and to create ſo many Voices to aſſiſt the other; and therefore, They urged very earneſtly, "That the Lords might be moved to join with them, in ſending to the "King, to make no new Biſhops, till the Controverſy ſhould be ended about the "Government of the Church: which appear'd ſo Unreaſonable, that the Wiſeſt of Them who wiſh'd it, apprehended no Poſſibility that the Lords would join with them; or if They did, that the King would be prevail'd with. However, being glad to find their Companions had ſo much mettal, after a long Debate, the major part carried it, "That a Committee ſhould be appointed, to draw up Rea-"ſons to give the Lords, to concur with Them in that deſire to the King: but, after that, moved that Stone no further.

In all Debates of this nature, where the Law, Reaſon, and Common Senſe, were directly Oppoſite to what they propoſed, They ſuffer'd Thoſe who differ'd from them in opinion, and purpoſes, to ſay what they thought fit in oppoſition; and then, without vouchſafing to endeavour their ſatisfaction, call'd importunately for the Queſtion; well knowing that they had a Plurality of Voices to concur with them, in whatſoever they deſired. I remember, in this laſt buſineſs, when it was voted that a Committee ſhould be named to draw up Reaſons, many of Thoſe who had during the Debate poſitively argued Againſt the thing, were called upon to be of that Committee; and amongſt them, the Lord *Falkland*, and Mr. *Hyde*; who ſtood up, and "deſired to be Excuſed from that Service, where they could be of no Uſe; "having given ſo many reaſons againſt it, that they could not apprehend any could "be given for it; therefore thought, the work would be better done, if Thoſe "who had ſatisfied Themſelves with the Reaſonableneſs of what they wiſh'd, "would undertake the converting and diſpoſing of Other men. There was a Gentleman who ſate by (Mr. *Bond* of *Dorcheſter*; very Severe, and Reſolv'd, againſt the Church and the Court) who, with much Paſſion, and Trouble of mind, ſaid to them, "For God's ſake be of the Committee, You know, none of Our ſide "can give Reaſons; which made Thoſe that over-heard him Smile: though he ſpoke it ſuddainly; and upon obſervation that the Leaders were not then in the Houſe. Otherwiſe, it cannot be denied, Thoſe who conducted them, and were the Contrivers of the Miſchief, were men of great parts, and unſpeakable Induſtry; and their Silence in ſome Debates, proceeded partly from Pride, that it might appear, Their Reputation and Intereſt, had an Influence upon the Senſe of the Houſe, againſt any Rhetorick or Logick; but principally, from the Policy they were obliged to uſe: for, though they could have given a pregnant reaſon for the moſt extravagant overture they ever made, and evinced it, that it was the proper way to Their end; yet, it not being time to diſcover their purpoſes (how apparent ſoever they were to diſcerning men) they were neceſſarily to give no reaſons at all; or ſuch as were not the true ones.

This Stratagem failing, of ſtopping the creation of the new Biſhops; They endeavour, by all means, to haſten the Houſe of Peers to diſpatch the work before

they ſhould be qualified (their Elections, Confirmations, and Conſecrations, and other Ceremonies, ſpending much time) to increaſe the number of the Oppoſers; and, for the better doing thereof, with great confidence, They demand of the Lords, "That no Recuſant Lord, or any Biſhop, might have a Vote in the paſſing that Act: "the laſt being Parties, and the other not ſuppoſed competent Judges on the be- "half of the Kingdom. But, when they found that Logick could not prevail; (the demand being indeed ſo Scandalous, that the Houſe of Peers, if they had not been fatally miſled, muſt have reſented it as a high Preſumption, and inſolent Breach of Priviledge) with more Formality and Colour, though as Unreaſonably, They preſs'd, "That thoſe Thirteen Biſhops, whom they had before Impeach'd, for "making the late Canons; and upon whom their Lordſhips themſelves had paſs'd "Severe Votes; (ſuch indeed as were fitter for Accuſers than Judges, Unparlia- mentary and Unprecedented) might be Sequeſtred from the Houſe, till they ſhould "be brought to Judgement. And for this, They found Lawyers in their Houſe, who, proſtituting the Dignity and Learning of their Profeſſion, to the cheap and vile affectation of Popular Applauſe, were not aſhamed, to aver Cuſtom and Law for their Senſeleſs Propoſition. But the Houſe of Peers was not Yet deluded enough, or terrified, (though too many amongſt them paid an implicit devotion to the Houſe of Commons) to comply in this unreaſonable demand.

The Animoſities at that time between ſome great Lawyers and ſome Church-men produced great miſchiefs.

And here I cannot but with grief and wonder remember, the Virulency and Animoſity expreſs'd at that time, upon all occaſions, by Many of good knowledge in the excellent and wiſe Profeſſion of the Common Law, towards the Church, and Church men; taking all opportunities, uncharitably, to improve Miſtakes, into Crimes; and, unreaſonably, to transfer and impute the Follies and Faults of Particular men, to the Malignity of their Order and Function; and ſo, whet and ſharpen the edge of the Law, to wound the Church in its Juriſdiction; and at laſt to cut it up by the Roots, and demoliſh its Foundation. It cannot be denied, that the Peeviſh ſpirits of ſome Clergy-men, have taken great pains to alienate that Profeſſion from them; and Others, as unskilfully, (finding, that in former times, when the Religion of the State was a vital part of its Policy, many Church-men were employ'd eminently in the Civil Government of the Kingdom) imputed their wanting thoſe Ornaments their Predeceſſors wore, to the Power and Prevalency of the Lawyers; of Whom, ſome Principal men, in all times, They could not but obſerve to have been their avow'd Enemies: and ſo believ'd, the Straitning and Confining the Profeſſion of the Common Law, muſt naturally Extend and Enlarge the Juriſdiction of the Church. Thence aroſe Their bold and unwarrantable Oppoſing and Proteſting againſt Prohibitions, and other Proceedings at Law on the behalf of Eccleſiaſtical Courts; and the procuring ſome Orders and Priviledges from the King, on the behalf of the Civil Law; even with an excluſion of the other: as the Arch-Biſhop of *Canterbury* prevail'd with the King to direct, "that half the Maſters "of the Chancery ſhould be always Civil Lawyers; and to declare, "that no Others, "of what condition ſoever, ſhould ſerve him as Maſters of Requeſt. All which was a great miſtake: For, beſides the ſtopping Prohibitions was an envious Breach upon the Juſtice of the Kingdom, which, at ſome time or other will ſtill be too hard for the ſtrongeſt Oppoſers and Oppreſſors of it: I could never yet know, Why the Doctors of the Civil Law, were more of Kin to the Biſhops, or the Church, than the Common Lawyers were. To ſay, that their Places were in the Biſhops diſpoſal, as Chancellors, Commiſſaries, and the like; and therefore, that their Perſons were more like to be at their diſpoſal too; at leaſt, to pay them greater Reverence; concludes nothing: for the Clergy had opportunity enough, to oblige and create an equal dependence from the Profeſſion of the Common Law; and I am perſwaded, the Stewardſhips to Biſhops, and of the Lands of the Church, which were to be managed by the Rules of the Common Law, were not much inferior in Profit to all the Chancellorſhips in *England*. And then, if, where the Policy may conſiſt with Juſtice, it is no ill meaſure in making Friendſhips, to look into, and compare, the Power of doing Hurt, or doing Good; it is apparent, that the Civil Law in this Kingdom, had not, in the leaſt degree, the ability to Help, or to Hurt the Church, in any exigency; as the Common Law had: Whoſe Profeſſors had always, by their Intereſts, Experience, and Reputation, ſo great an Influence upon the Civil State, upon Court and Country, that they were notable Friends or Enemies. And the Dependence of the Church, as to their Inheritance, and Eſtates, (except their minute Tythes) was entirely upon this Law; being only

only determinable by thoſe Rules, by which they have ſeldom receiv'd eminent Injuſtice. And truly, I have never yet ſpoken with one Clergy-man, who hath had the experience of both litigations, that hath not ingeniouſly confeſs'd, " he had " rather, in the reſpect of his trouble, charge, and ſatisfaction to his underſtanding, " have Three Suits depending in *Weſtminſter*-Hall, than One in the Arches, or any " Eccleſiaſtical Court.

The Particulars above-mention'd, were, I confeſs, to Vulgar minds, great Provocations and Temptations to Revenge: and therefore, I do not at all wonder, that, in the great herd of the Common Lawyers, many Pragmatical ſpirits, whoſe thoughts and obſervations have been contracted to the narrow limits of the few Books of that Profeſſion; or within the narrower circle of the Bar Oratory; ſhould go along with the Stream, in the Womaniſh art of Inveighing againſt Perſons, when they ſhould be Reforming Things: and that ſome, by degrees, having found the Benefit of being of that Opinion, (for we all remember, when Papiſt and Puritan Lawyers got more money than their Neighbours, for the Private Opinions they were of; not what they deliver'd in publick) grew, at laſt, to have fits of Conſcience in earneſt; and to believe, that a Parity in the Church was neceſſary to Religion; and not like to produce a Parity in the State: of which Doctrine if they had been then ſuſpected, they would quickly have been aſhamed of ſuch Divinity.

But, that Learned and Unbiaſs'd (I mean Unprovoked) men, in that Science of our Law; who knew the Frame and Conſtitution of the Kingdom, and that the Biſhops were no leſs the Repreſentative Body of the Clergy, than the Houſe of Commons was of the People; and conſequently, that the depriving Them of voice in Parliament, was a Violence, and removing Landmarks; and not a Shaking (which might Settle again) but Diſſolving Foundations; which muſt leave the Building unſafe for habitation: That Such men, who knew the Eccleſiaſtical and Civil State was ſo wrought and interwoven together, and, in truth, ſo incorporated in each other, that the one could not long continue in Proſperity without the other; and that the Profeſſors of the Law were never at ſo great a height, as even in This time that They ſo unjuſtly envied the greatneſs of the Church: And laſtly, That They, who might well know, that the great and unweildy Body of the Clergy, conſiſting of ſuch different tempers, humours, inclinations, and abilities; and which inevitably will have ſo ſtrong an Influence upon the nature and affections of the People; could never be Regulated and Govern'd by any Magiſtrates but of Themſelves; nor by any Rules, but of ſuch Power as the Biſhops exerciſed; Whom (beſides all arguments of Piety, aud ſubmiſſion to Antiquity) the experience of the Bleſſed Times ſince the Reformation, not to be parallel'd in any Nation under Heaven, declared to be the moſt Happy Managers of that Power, whatſoever rankneſs and excreſcence might have proceeded from ſome Branches: I ſay, that theſe Knowing and Diſcerning men (for Such I muſt confeſs there have been) ſhould believe it poſſible for Them to flouriſh; or that the Law it ſelf would have the ſame reſpect and veneration from the People, when the well diſpoſed Fabrick of the Church ſhould be rent aſunder; (which, without Their activity and skill in Confuſion, could never have been compaſs'd) hath been to me an Inſtance of the Divine Anger againſt the Pride of Both, in ſuffering them to be the Fatal Engines of Breaking one another: whereas Neither could have been oppreſs'd by any other Strength or Power but their Own.

And I cannot but ſay, to the Profeſſors of that great and admirable myſtery, the Common Law, (upon which, no man looks with more affection, reverence, and ſubmiſſion) Who ſeem Now, by the Fury and Iniquity of the Time, to ſtand upon the ground they have won, and to be Maſters of the Field; and, it may be, Wear ſome of the Trophies and Spoils They have raviſh'd from the Oppreſs'd; that they have Yet but ſharpen'd Weapons for Others to wound them; and that their Own Arguments and Eloquence, may be, one time or other, applied to their Own Deſtruction. And therefore, if they haveeither Piety, to repent and redeem the Ill that they have wrought; or Policy, to Preſerve their own condition from Contempt; and Themſelves from being Slaves to the moſt abject of the People; They will, at length, wind up the Church and the Law into one and the ſame Intereſt; and, by a firm and ſteady purſuit, endeavour to fix Both on the Same Foundation, from whence they have been ſo violently diſturb'd.

By this time the King was as weary of *Scotland*, as he had been impatient to go thither; finding all things propoſed to him, as to a vanquiſh'd perſon, without conſideration of his Honour, or his Intereſt; and having not one Councellor about him, but the Duke of *Lenox*; (who from the beginning carried himſelf by the moſt exact rules of Honour, Gratitude, and Fidelity to him) and very few Followers; who had either affection to his Perſon, or reſpect of his Honour

That which ſhould have been an Act of Oblivion, was made a Defence and Juſtification of whatſoever they had done: Their firſt Tumults, and erecting their Tables, in Oppoſition to, and at laſt Suppreſſing, both Courts of Juſtice and Seſſion; and the Acts and Orders of thoſe Tables; declared to be "the effects "of their Duty to his Majeſty; and according to the Law of the Land: And ſo all thoſe, who, according to their Allegiance, had oppoſed and reſiſted them on the behalf of his Majeſty, and were qualified by his Majeſty's Commiſſions, were adjudg'd Criminal; and the only perſons Excepted from Pardon, and Exempted from the Benefit of that Oblivion.

The Seditious Acts of that Aſſembly, which had Expell'd all Biſhops, and the Canonical Clergy, from being Members of that Aſſembly; and affirm'd themſelves to have a Power, "to inflict the Cenſures of the Church upon his Majeſty him-"ſelf; were declared "to be Lawful, and according to the Conſtitution of the "Kingdom; and the Government of the Church by Arch Biſhops, and Biſhops, "declared to be againſt the Word of God; and they condemn'd, as Enemies "to the Propagation of the true reform'd Proteſtant Religion; and therefore to "be utterly Aboliſh'd; and their Lands given to the King, his Heirs and Suc-"ceſſors.

In conſideration of the King's neceſſary Abſence from that his Native Kingdom, it was thought fit, "that the Full and Abſolute Government thereof, ſhould be "committed to the Lords of the Secret Council; who were likewiſe made "Con-"ſervators of the Peace of the two Kingdoms, during the intervals of Parliaments; and thoſe Lords, and Conſervators, "were then, and ſtill, to be named by Par-"liament; which was once in three years to aſſemble upon a day certain, with-"out any Summons from the King, if He neglected to publiſh ſuch Summons; and, upon the ſame reaſon, "all great Officers, as Chancellor, Treaſurer, Se-"cretary, and the reſt, nominated by Parliament, and in the interval by the Lords of the Secret Council; without ſo much as being concern'd to have his Majeſty's approbation.

All which Acts, and whatſoever elſe they were pleaſed to preſent to him, concerning Church or State, the King confirm'd; and thereby, made the Lord *Lowden*, who had been the Principal Manager of the Rebellion, Chancellor of *Scotland*; and created him likewiſe an Earl; and conferr'd the other great Offices, as he was directed: Then, he made the Earl of *Argyle* (for he was ſtill truſted with conferring of Honours) Marquis; their great General, *Leſly*, Earl of *Leven*; and their Lieutenant General, Earl of *Calender*; and conferr'd other Honours on Perſons. according to the capacity and ability they had in doing him Miſchief: And laſtly, (leaving all his Own Party barely to Live; for he had procured a Pardon for them from the Parliament, upon condition "They came not near the King's pre-"ſence; nor receiv'd any Benefit from him, without their approbation) his Majeſty gave all the Lands of the Church, which had been devolv'd to Him by its ruin; and whatſoever He had elſe to give, in that Kingdom; to thoſe, who had diſcover'd it not to be in good hands before: So that he ſeem'd to have made that Progreſs into *Scotland*, only that he might make a perfect Deed of Gift of that Kingdom; which he could never have done, ſo abſolutely, without going thither. And ſo, having nothing more to do There, he begun his journey towards *England* about the middle of *November*.

It is not to be doubted, in conſideration of thoſe Extravagant Conceſſions, they made as Extravagant Promiſes to the King; that by their Loyal and Dutiful comportment, his Majeſty ſhould find no diminution of his Power; that He ſhould have the entire obedience of that Nation, to preſerve his full Rights and Regalities in *England*; and to reduce *Ireland*: The Earl of *Leven* telling him (as Marquis *Hamilton* aſſured me; in His hearing) "that he would not only never more ſerve A-"gainſt him, but that whenever his Majeſty would require his Service, He ſhould "have it, without ever asking what the cauſe was. And many of them whiſper-ing in his ear, and aſſuring him, "that aſſoon as the troubles of the late Storm "could-

" could be perfectly calm'd, They would Reverſe and Repeal whatſoever was " now unreaſonably extorted from him. And his Majeſty having never receiv'd any conſiderable Profit from *Scotland*, cared the leſs for what he parted with There : and, it may be, being reſolv'd They ſhould be no more Charge to him in his Court here (for ſurely he had then very hard thoughts of a great part of the Nation) he believ'd he ſhould ſave more in This Kingdom, than he had given in That; and he made no doubt, but that They were ſo Full fed now, that they ſhould not Stir from home again, till the Temper and Affection of his People here, ſhould be better diſpoſed for their reception.

But his Majeſty never conſider'd, or not ſoon enough, that They could not reaſonably hope to keep, what they had ſo ill got, but by the ſame arts by which they were ſuch gainers; and there cannot be a ſurer evidence of the Continuance of an Enemy, than the having receiv'd Injuries from him, of a nature that do not uſe to be forgiven. Neither did he ſufficiently weigh the unſpeakable Encouragement; and, in ſome particulars, the reaſonable Pretence, the Factious Party here would have, from the Proſperous Wickedneſs of Thoſe there. And, it is certain, their number from thenceforth increas'd wonderfully : the Enemies of the Church preſuming Their work was more than half done, when the King himſelf had declared (for his Conſent to that Act They would eaſily make appear to be ſuch) " that the Government by Arch-biſhops, and Biſhops, was againſt the Word of " God, and the Propagation of Religion. Many concluding the King would at laſt Yield to any thing, put themſelves in company of the boldeſt and moſt poſitive Askers; and Some, who in their hearts abhor'd what the *Scots* had done, yet diſdaining to be overwitted by them; and that They ſhould get more for Themſelves, and receive a greater argument of the King's truſt, than We of this Nation; out of pure Malice to Them, reſolv'd to do the ſame things with them; and ſo join'd and concurr'd in any Exorbitancies. All which the King too late diſcover'd, by the Entertainment he receiv'd upon his return.

The Committee for the Remonſtrance make their Report in the Houſe of Commons.

About the time the news came of the King's beginning his journey from *Scotland* upon a day appointed; and that he had ſettled all things in that Kingdom to the general Satisfaction; the Committee for preparing the Remonſtrance, offer'd their Report to the Houſe; which cauſed the Draught they offer'd, to be Read. It contain'd a very bitter Repreſentation, of all the Illegal things which had been done, from the firſt hour of the King's coming to the Crown, to that minute; with all the ſharp Reflexions which could be made, upon the King himſelf, the Queen, and Council; and publiſh'd all the unreaſonable Jealouſies of the Preſent Government, of the introducing Popery; and all other particulars, that might diſturb the minds of the People : which were enough diſcompoſed.

The Houſe ſeem'd generally to diſlike it; many ſaying, " that it was very un- " neceſſary, and unſeaſonable : Unneceſſary, all thoſe Grievances being already " fully Redreſs'd; and the Liberty and Property of the Subject being as well " Secured for the future, as could poſſibly be done : and Unſeaſonable, after the " King had gratified them, with granting every thing which They had deſired of " him; and after ſo long abſence, in the ſettling the Diſorders in another Kingdom " which he had happily compoſed; to be now welcom'd home with ſuch a vo- " lume of Reproaches, for what Others had done amiſs, and which He himſelf " had reform'd. Notwithſtanding all which, all the other Party appear'd Paſſionately concern'd that it might not be rejected; and enlarged themſelves with as high expreſſions Againſt the Government, as at firſt; with many inſinuations, " that we " were in danger of being deprived of all the Good Acts which we had gain'd, if " great care and vigilance were not uſed, to Diſappoint ſome Counſels which were ſtill entertain'd, making ſome doubtful glances and reflexions upon the Rebellion in *Ireland*; (with which they perceiv'd many good men were eaſily amuſed) and in the end prevail'd, " that a day ſhould be appointed, when the Houſe ſhould be re- " ſolv'd into a Committee of the whole Houſe, and the Remonſtrance to be then " retaken into conſideration : and in the mean time they employ'd all their credit and intereſt with particular men, to perſwade them, " that the Paſſing that Remon- " ſtrance was moſt neceſſary, for the Preſervation and Maintenance of all thoſe good " Laws which They had already made; giving ſeveral reaſons to ſeveral perſons, according to their natures and inclinations; aſſuring many, " that They intended it " only for the Mortification of the Court, and manifeſtation that that Malignant " Party, which appear'd to be growing up in the Houſe, could not prevail; and then, " that it ſhould remain ſtill in the Clerk's hands, and never be publiſh'd.

And by theſe, and the like arts, They promiſed themſelves that they ſhould eaſily carry it : So that the day it was to be reſumed, They entertain'd the Houſe all the morning with other Debates, and towards noon call'd for the Remonſtrance; and it being urged by ſome, "that it was too late to enter upon it, with much difficulty they conſented, "that it ſhould be entred upon the next morning at nine of the "Clock; and every clauſe ſhould be Debated, the Speaker in the Chair; for They would not have the Houſe reſolv'd into a Committee, which they believ'd would ſpend too much time. *Oliver Cromwell* (who, at that time, was little taken notice of) ask'd the Lord *Falkland*, "Why he would have it put off, for that day would "quickly have determin'd it? He anſwer'd, "There would not have been time "enough, for ſure it would take ſome Debate. The Other replied, "a very ſorry one. They ſuppoſing, by the computation they had made, that very few would oppoſe it.

But He quickly found he was miſtaken: for the next morning, the Debate being entred upon about Nine of the Clock, it continued all that day; and Candles being call'd for when it grew dark, (neither Side being very deſirous to adjourn it till the next day; though it was evident, very many withdrew themſelves out of pure faintneſs and diſability to attend the concluſion) the Debate continued till it was after Twelve of the Clock, with much Paſſion; and the Houſe being then divided, upon the Paſſing or Not paſſing it, it was carried in the Affirmative, by Nine voices, and no more: and aſſoon as it was declared, Mr. *Hambden* moved, "that there might "be an Order entred for the preſent Printing it; which produced a ſharper Debate than the former. It appear'd then, that They did not intend to ſend it up to the Houſe of Peers, for Their concurrence; but that it was upon the matter an Appeal to the People; and to infuſe Jealouſies into their minds. It had ſeldom been the cuſtom to Publiſh any Debates, or Determinations of the Houſe, which were not regularly firſt tranſmitted to the Houſe of Peers; nor was it thought in truth, that the Houſe had Authority to give warrant for the Printing of any thing; all which was offer'd by Mr. *Hyde*, with ſome warmth, aſſoon as the motion was made for the Printing it: and He ſaid, "He believ'd the Printing it in that manner, was not Lawful; and "He fear'd it would produce Miſchievous effects; and therefore deſired the leave "of the Houſe, that if the Queſtion ſhould be put, and be carried in the Affirmative, "that He might have liberty to enter his Proteſtation; which he no ſooner ſaid, than *Jeffery Palmer* (a man of great reputation, and much eſteem'd in the Houſe) ſtood up, and made the ſame motion for Himſelf, "that he might likewiſe Proteſt, Many afterwards, without diſtinction, and in ſome diſorder, cry'd out together, "They "did Proteſt: So that there was after ſcarce any quiet and regular Debate. But the Houſe by degrees being quieted, They all conſented, about two of the Clock in the morning, to adjourn till Two of the Clock the next Afternoon. And as they went out of the Houſe, the Lord *Falkland* ask'd *Oliver Cromwell*, "Whether there had "been a Debate? to which he anſwer'd, he would take His word another time; and whiſper'd him in the ear, with ſome aſſeveration, "that if the Remonſtrance had "been rejected, He would have ſold all he had the next morning, and never have "ſeen *England* more, and he knew, there were many other honeſt men of the ſame "reſolution. So near was the poor Kingdom at that time to its Deliverance.

It was carried by Nine voices.

However They got this victory, they did not in a long time recover the ſpirits they loſt, and the agony they had ſuſtain'd, whilſt it was in ſuſpenſe; and they diſcern'd well enough, that the Houſe had not at that time half its Members preſent; though they had provided, that not a man of Their Party was abſent; and that they had even carried it by the hour of the night, which drove away a greater number of old and infirm Oppoſers, than would have made Thoſe of the Negative Superior in number: So that They had little hope, in a Fuller Houſe, to Prevail in any of their Unjuſt deſigns, except they found ſome other expedient, by hopes or fears, to work upon the affections of the ſeveral Members.

In order to which, They ſpent moſt part of the next day in their private conſultations, how to Chaſtiſe ſome of Thoſe who had offended them the day before; and reſolv'd in the firſt place, not to ſuffer that Precedent to be introduced into the Houſe, "that men ſhould Proteſt againſt the Senſe of the Houſe: which, it is true, had not been uſed in the Houſe of Commons. This Subject was the more grateful to them, becauſe they ſhould heartily take Revenge upon Mr. *Hyde*, whom they perfectly hated; and to whoſe activity, they imputed the trouble they had ſuſtain'd the day before; and He was the Firſt who made the Proteſtation, that is, ask'd leave to do it; which produced the other ſubſequent clamour, that was indeed in ſome diſorder.

diſorder. But here they differ'd amongſt themſelves; all the Leading violent men, who bore the greateſt ſway, were moſt glad of the occaſion, as it gave them opportunity to be rid of Mr. *Hyde*; which they paſſionately deſired: but Sr. *John Hotham*, *Cholmondley*, and *Stapleton* (who never ſever'd, and had a numerous Train attending their motions) remember'd the Service Mr. *Hyde* had done againſt the Court of *York*; the overthrowing whereof was Their peculiar glory) and would not conſent that they ſhould queſtion him; but were ready to concur with them in the Proſecution of any other of the Proteſtors; whereof there was number enough. This made ſo great a Difference among them, that for the preſent they agreed no further, than "that "they would that Afternoon only provide, that the next morning they would fall "upon that matter; and then they might conſult together at night, what perſon they would Sacrifice.

About Three of the Clock, when the Houſe met, Mr. *Pym* "lamented the Diſor-"der of the night before, which, he ſaid, might probably have engaged the Houſe "in Blood, and had proceeded principally from the offering a Proteſtation; which "had been never before offer'd in That Houſe; and was a Tranſgreſſion that ought "to be ſeverely Examin'd, that Miſchief might not reſult hereafter from that Prece-"dent: and therefore propoſed, that the Houſe would the next morning enter upon "that Examination; and in the mean time, men might recollect themſelves, and "They who uſed to take Notes, might peruſe their Memorials; that the Perſons "who were the chief cauſes of the Diſorder, might be named, and defend themſelves "the beſt they could: and with this reſolution the Houſe aroſe; the vexation of the night before, being very viſible in the looks and countenance of many. Neither that nights deliberation; nor all the Artifice or Importunity that could be uſed, could remove the obſtinate Northern men from their reſolution; They declared poſitively, "That if they Proſecuted Mr. *Hyde*, They, and all their Friends, would engage in "his Defence: which made the Others reſolve, not to incur the danger or inconvenience of ſuch a Schiſm; and ſo they unanimouſly agreed upon Another perſon, whom they would accuſe.

The next morning, They firſt enlarged upon the Offence it ſelf; of the Miſchief "it had like to have produced; and would unavoidably produce, if the cuſtom or "liberty of it were ever admitted; That it was the Firſt time it had ever been offer'd "in that Houſe; and that care ought to be taken, that it ſhould be the Laſt; by the "ſevere Judgement of the Houſe, upon thoſe perſons who had begun the Preſumption.

Mr. *Hyde*, who had then known nothing of the Private conſultation; and had many reaſons to believe Himſelf to be deſign'd; ſtood up, (notwithſtanding ſome Signs made to him at a diſtance by his Northern Friends, which he underſtood not) and ſaid, "It concern'd him to Juſtify what he had done, being the Firſt man who men-"tion'd the Proteſtation: upon which, there was a general Noiſe and Clamour "to "Withdraw; and as great, "to Speak: He proceeded, and ſaid, "He was not old "enough to know the Ancient Cuſtoms of That Houſe; but, that He well knew, it "was a very Ancient Cuſtom in the Houſe of Peers; and Leave was never denied "There to any, who ask'd that he might Proteſt, and enter his Diſſent, againſt any "Judgement of the Houſe, to which he would not be underſtood to have given his "Conſent: That He did nor underſtand any reaſon, why a Commoner ſhould not "have the ſame Liberty, if he deſired not to be involv'd in any Vote, which he "thought might poſſibly be Inconvenient to him. That he had not offer'd his Pro-"teſtation againſt the Remonſtrance, though he had oppoſed it all he could, becauſe "it remain'd ſtill within thoſe Walls; That he had only deſired leave to Proteſt a-"gainſt the Printing it; which he thought, was not in many reſpects Lawful for "Them to do; and might prove very Pernicious to the Publick Peace.

They were very much offended with all he ſaid, and his aſſurance in ſpeaking; and Mr. *Strode* could not contain himſelf from ſaying, "that That Gentleman had "confeſs'd that He had Firſt propoſed the Proteſtation; and therefore deſired, He "might Withdraw; which many Others likewiſe call'd for: till Sr. *John Hotham* appear'd with ſome warmth againſt it; and young *Hotham*, his Son, accuſed *Jeffery Palmer* "of giving the cauſe of Diſorder, by ſaying, *I do Proteſt*, without asking "the Leave of the Houſe; and encouraging Others to cry out every man, *I do Proteſt*: whereupon, They all fell into great Noiſe and Confuſion; and ſo, without much more diſcourſe, Mr. *Palmer* was call'd upon "to Explain; which, as he was about to do, Mr. *Hyde* (who lov'd him much; and had rather have ſuffer'd Himſelf, than that He ſhould) ſpoke, to the Orders of the Houſe; and ſaid, "That it was Againſt the Orders and Practice of the Houſe, that any man ſhould be call'd upon to Explain,

for

" for any thing he ſaid in the Houſe Two days before; when it could not be " preſumed, that his Own Memory could Recollect all the words he had uſed; " or, that any body elſe could Charge him with them; and appeal'd to the Houſe, " whether there was any Precedent of the like. And there is no doubt, there never had been; and it was very Irregular. But They were too poſitively reſolv'd to be diverted; till, after two hours Debate, He himſelf deſired, " that, to ſave " the Houſe further trouble, he might Anſwer, and Withdraw; which he did. When it drew towards Night, after many hours Debate, it was order'd, " that he " ſhould be committed to the Tower; the angry men preſſing, with all their power, " that he might be Expell'd the Houſe; having born him a long grudge, for the civility He ſhew'd in the Proſecution of the Earl of *Strafford*; that is, that He had not uſed the ſame reproachful language which the Others had done: but They were at the laſt glad to compound for his bare commitment to the Tower; from whence he was within few days enlarged, and return'd again to the Houſe. In the cloſe of that day, and the riſing of the Houſe, without much oppoſition, They obtain'd an Order for the Printing their Remonſtrance.

The Remonſtrance order'd to be Printed.

The ſubſtance of it.

That Remonſtrance, after many clauſes and unbecoming expreſſions were caſt out, contain'd, " That there had been, from the Beginning of his Majeſty's Reign, a Ma- " lignant and Pernicious Deſign, of Subverting the Fundamental Laws and Principles " of Government, upon which the Religion and Juſtice of the Kingdom was eſta- " bliſh'd: That the Actors and Promoters thereof, were the Jeſuited Papiſts; the Bi- " ſhops, and Corrupt part of the Clergy; and Such Councellors and Courtiers, as " had engaged themſelves to further the Intereſts of ſome Forreign Princes or Sates, " to the Prejudice of the King and State at home: All which had endeavour'd, to " raiſe Differences and Diſcontents betwixt the King and his People, upon queſtions " of Prerogative and Liberty; to Suppreſs the Purity of Religion, and Such Men as " were beſt affected to it, as the greateſt Impediment to that Change which They " thought to introduce; to cheriſh and maintain thoſe Opinions in Religion, which " brought Ours neareſt and moſt agreeable to the Papiſts; and to continue, multiply, " and enlarge, the Differences between the Proteſtants themſelves, diſtinguiſhing " between Proteſtants and Puritans, by introducing and countenancing ſuch Opinions " and Ceremonies, as were fitteſt for accommodation with Popery; that ſo, of Pa- " piſts, Arminians, and Libercines, They might compoſe a Body, fit to act Such " Counſels and Reſolutions, as were moſt conducible to Their Own ends: and laſtly, " to render the King Diſaffected to Parliaments, by Slanders and Falſe Imputations, " and ſo putting him upon other ways of Supply, as of more advantage than the ordinary courſe of Subſidies; which brought infinite Loſs to the King and People, " and cauſed the Diſtractions that enſued.

They remember'd " the Breach of the Parliament at *Oxford*, in the Firſt year of his " Majeſty's Reign; and reproach'd him with the Fruitleſs Voyage to *Cadiz*, at his " firſt coming to the Crown; the Loſs of *Rochel*, by firſt Suppreſſing their Fleet " with his Own Royal Ships, by which the Proteſtant Religion in *France* infinitely " ſuffer'd; the making a War with *France* precipitately, and a Peace with *Spain*, without Their conſent, and ſo deſerting the Cauſe of the *Palatinate*; and, with a De- " ſign, to bring in *German* Horſe, to force the Kingdom, by Violence, to Submit to " ſuch Arbitrary Contributions, as ſhould be required of them.

They remember'd him, " of Charging the Kingdom by Billetting of Soldiers, and " by raiſing of Coat and Conduct money for thoſe Soldiers, in the Second and Third " years of his Reign; of his Diſſolving the Parliament, in his Second year, after " Their Declaration of an intent to grant Five Subſidies; and the exacting thoſe five " Subſidies afterwards by a Commiſſion of Loan: upon the refuſal whereof, divers " Gentlemen were Impriſon'd, whereof ſome Died, by the Diſeaſes they contracted " in that Impriſonment; of great Sums raiſed by Privy-Seals; and of an attempt to ſet " the Exciſe on foot.

They remember'd " the Diſſolution of the Parliament in the Fourth year of his " Reign, and the Untrue and Scandalous Declarations thereupon; the Impriſoning " divers Members of that Parliament after the Diſſolution, and detaining them cloſe " Priſoners for Words ſpoken in Parliament, Sentencing and Fining them for thoſe " Words; One of which Died in Priſon for want of ordinary refreſhment, whoſe " Blood (They ſay) ſtill cry'd for Vengeance.

They reproach'd his Majeſty " with Injuſtice, Oppreſſion, and Violence, which, " after the Breaking of that Parliament, broke in upon them, without any reſtraint " or moderation; with the great Sums of money He had exacted throughout the King-

" dom

" dom for default of Knighthood, in the Fourth year of his Reign; with the Re-
" ceiving Tonnage and Poundage, from the death of King *James*; and raiſing the
" Book of Rates, and laying New Impoſitions upon Trade; with the Enlargement
" of Forreſts, and Compoſitions thereupon; the ingroſſing Gun-powder, and ſuffering
" none to buy it without Licence; with all the moſt odious Monopolies, of Soap,
" Wine, Salt, Leather, Sea-coal, and the reſt; which had been granted from his Ma-
jeſty's firſt coming to the Crown, and ſome of them before) " with the new Tax of
" Ship-money, and the ill guarding the Seas, and leaving the Merchants naked to the
" violence of the *Turkiſh* Pirates, notwithſtanding that extraordinary and extravagant
" Supply; with the Vexations upon pretence of Nuiſances in Building, and thereupon
" raiſing great Sums of money for Licences to Build; and of Depopulation, that
" men might pay Fines to continue the ſame miſdemeanour; with the Seizing
" the Merchants Money in the Mint; and an abominable Project of making Braſs
" Money.

They repeated " the extravagant Cenſures of the Star-Chamber, whereby the Sub-
" ject had been oppreſs'd, by Fines, Impriſonments, Stigmatizings, Mutilations,
" Whippings, Pillories, Gags, Confinements, Baniſhments; the Severe and Illegal
" Proceedings of the Council-Table, and other new erected Judicatories, and the Suſ-
" penſions, Excommunications, and Deprivations, of Learned and Pious Miniſters,
" by the High Commiſſion Court; which grew to that Exceſs of Sharpneſs and Seve-
" rity, that They ſaid it was not much leſs than the *Romiſh* Inquiſition.

They reproach'd the King " with the Liturgy and Canons ſent into *Scotland*, as an
" Attempt upon the Proteſtant Religion; with the Forcing that Nation to raiſe an
" Army in their Own Defence, and raiſing an Army Againſt them; with the Pacification,
" and Breach of that Pacification, that He call'd a Parliament after, in hope to Corrupt
" it, and make it Countenance the War with *Scotland*; which when he found it would
" Not do, he Diſſolv'd it, and then committed Members to Priſon; and compell'd
" men to lend Money againſt their wills; and Impriſon'd ſuch as refuſed.

They mention'd " the Synod held by the Biſhops after the end of the Parliament,
" and the Canons and Oath made by them; the raiſing the Armies, Here and in *Ire-*
" *land*, againſt the *Scots*; and the liberal Collection and Contribution from the Cler-
" gy, and the Catholicks, towards that War; all the Favours that had been done to
" the Papiſts; the Reception and Entertainment of Seignior *Con*, and the *Comte Ro-*
" *zetti*, by the Queen, from *Rome*; and ſome Miniſters ſent by her Majeſty thither.

In a word, They left not any Error or Misfortune in Government, or any Paſſionate Exerciſe of Power, unmention'd or unpreſs'd, with the Sharpeſt, and moſt Pathetical Expreſſions to affect the People, that the general obſervation of the Wiſeſt, or the particular animoſity of the moſt Diſobliged, or Ill Affected perſons, could ſuggeſt, to the Diſadvantage of the King, from the death of his Father, to the unhappy beginning of the preſent Parliament.

Then They magnified their Own Services: " That having found the Kingdom
" groaning under theſe Difficulties, which ſeem'd to be inſuperable, They had, by
" the Divine Providence, overcome them all; That They had aboliſh'd Ship-Money,
" and all Monopolies; and had taken away that which was the Root of all thoſe
" Evils, the Arbitrary Power of Taxing the Subject, pretended to be in the King:
" That the Living Grievances, the Evil Councellors, were ſo quell'd, by the Juſtice
" done on the Earl of *Strafford*; the Flight of the Lord *Finch*, and Secretary *Win-*
" *debank*; the Accuſation and Impriſonment of the Arch-Biſhop of *Canterbury*, and
" other Delinquents; that it was not like to be only an Eaſe to the Preſent Times,
" but a Preſervation to the Future.

They reckon'd up " all the Good Laws, and the Benefit the People receiv'd by
" thoſe Laws; ſpoke of many Good Deſigns They had, for the Benefit of the King-
" dom: But then Complain'd, " of Oppoſitions, and Obſtructions, and Difficulties,
" with which They were encounter'd, and which ſtill lay in their Way, with ſome
" ſtrength, and much obſtinacy; That there was a Malignant Party took heart again,
" that Preferr'd ſome of their own Agents and Factors, to Degrees of Honour, and
" to Places of Truſt and Employment. That They had endeavour'd to work in his
" Majeſty Ill Impreſſions and Opinions of Their Proceedings; as if They had done al-
" together Their Own work, and not His; and had obtain'd many things from him
" Prejudicial to the Crown, in reſpect of Prerogative, and Profit. To wipe out which
" Slander, They declared, All They had done was for His Majeſty, his Greatneſs,
" Honour, and Support: That, when They gave five and twenty thouſand pounds
" a month, for the relief of the Northern Counties, in the ſupport of the *Scotiſh*

" Army, It was given to the King, for that He was bound to Protect his Subjects; " and that, when They undertook the charge of the Army, which coſt above fifty " thouſand pounds a month, It was given to the King, for that it was his Majeſty's " Army, and the Commanders and Soldiers under contract with Him; and that, when " They undertook to pay their Brethren of *Scotland* three hundred thouſand pounds, " It was to repair the Dammages and Loſſes They had ſuſtain'd by his Majeſty and " his Miniſters; and that thoſe particulars, amounted to above Eleven hundred " thouſand pounds.

Then They negligently and perfunctorily paſs'd over his Majeſty's Graces and Favours; " as being little more than in Juſtice He was obliged to grant; and of no conſi- " derable Loſs and Dammage to Himſelf: and promiſed the good People ſhortly " Eaſe in the matter of Protections, (by which, the Debts from Parliament men, and " their Followers and Dependents, were not recoverable) and ſpeedily to paſs a Bill " to that purpoſe.

Then They inveigh'd againſt the Malignant Party, " that had ſought to cauſe Jea- " louſies between Them and their Brethren of *Scotland*; and that had ſuch a Party " of Biſhops and Popiſh Lords in the Houſe of Peers, as hinder'd the Proceedings of " divers good Bills, Paſs'd in the Commons Houſe, concerning ſundry great Abuſes " and Corruptions both in Church and State; (when, at that time, the Houſe of Peers had only refuſed to concur with them in two Bills; that, of the Proteſtation; and, the taking away the Votes of Biſhops out of the Houſe of Peers) " that had " attempted to Diſaffect and Diſcontent his Majeſty's late Army, and to bring it up " againſt the Parliament, and City of *London*; that had raiſed the Rebellion in *Ire-* " *land*; and, if not by Their Wiſdom prevented, had brought the like Miſery and " Confuſion in this Kingdom.

Then They declared, " that they meant to have a general Synod, of the moſt Grave, " Pious, Learned, and Judicious Divines, of this Iſland; (when, at that time, there was ſcarce one Orthodox Divine of *England* in reputation with them) " who, aſſiſted " by ſome from Forreign Parts, profeſſing the ſame Religion, ſhould conſider of all " things neceſſary for the Peace and good Government of the Church; and preſent " the reſult of their Conſultations to the Parliament, to be There allow'd and con- " firm'd: That they would provide a competent Maintenance for Conſcientious and " Preaching Miniſters, throughout the Kingdom: That they intended to Reform and " Purge the Fountains of Learning, the two Univerſities; that the Srreams flowing " from thence might be clear and pure, and an Honour and Comfort to the whole " Land: That his Majeſty ſhould be Petition'd by Both Houſes, to employ ſuch " Councellors, Embaſſadors, and other Miniſters, in managing his buſineſs at home " and abroad, as the Parliament have cauſe to confide in; without which, they could " not give his Majeſty ſuch Supplies for His Own ſupport: or ſuch Aſſiſtance for the " Proteſtant Party beyond the Seas, as was deſired.

Withall They declared, " That the Commons might have cauſe, often, Juſtly to " take Exceptions at ſome men for being Councellors, and yet not charge thoſe men " with Crimes; for that there are grounds of Diffidence, which ly not in Proof: " and others, which though they may be Proved, yet are not Legally Criminal; as " to be a known Favourer of Papiſts; or to have been very forward in Defending or " Countenancing ſome great Offenders, queſtion'd in Parliament; or to ſpeak Con- " temptuouſly of Either Houſe of Parliament, or Parliamentary Proceedings; or ſuch " as are ſuſpected to get Councellors Places, or any other of truſt concerning publick " Employment, for Money: That all good courſes may be taken, to Unite the two " Kingdoms of *England* and *Scotland*; to be mutually aiding and aſſiſting one another " for the Common Good of the Iſland, and the Honour of Both: With ſome other particulars of this nature.

The ways by which the Party grew in the Houſe of Commons.

I know not, how thoſe men have already anſwer'd to their own Conſciences; or how they will anſwer it, to Him who can diſcern their Conſciences; who, having aſſumed their Countries Truſt, and, it may be, with great Earneſtneſs laboured to procure that Truſt, by Their Supine Lazineſs, Negligence, and Abſence, were the Firſt Inlets to thoſe Inundations; and ſo contributed to thoſe Licences which have overwhelm'd us. For, by this means, a Handful of men, much inferior in the beginning, in number and intereſt, came to give Laws to the Major part; and, to ſhew that Three diligent perſons, are really a Greater and more Significant number, than Ten Unconcern'd, They, by Plurality of Voices, in the end, converted or reduced the Whole Body to Their opinions. It is true, Men of Activity and Faction, in any deſign, have many Advantages, that a Compoſed and Settled Council, though induſtrious enough,

enough, uſually have not; and ſome, that Gallant men cannot give themſelves leave to entertain: for, beſides their through conſidering and formir g their Counſels before they execute them; They contract a habit of Ill Nature and Diſingenuity neceſſary to Their affairs, and the temper of Thoſe upon whom they are to work, that Liberal minded men would not perſwade themſelves to entertain, even for the Prevention of all the Miſchief the Others intend. And whoſoever obſerves, the Ill Arts by which Theſe men uſed to prevail upon the People in general; Their abſurd, ridiculous Lying, to win the affections, and corrupt the underſtandings, of the Weak; and the bold Scandals, to confirm the Wilful; the boundleſs Promiſes They preſented to the Ambitious; and Their groſs, abject Flatteries, and Applications, to the Vulgar Spirited; would hardly give himſelf leave to uſe thoſe Weapons, for the Preſervation of the Three Kingdoms

The King had at that time a greater Diſadvantage, (beſides the concurrence of ill and extraordinary accidents) than Himſelf, or any of his Progenitors, had ever had before; having no Servant, of the Houſe of Commons, of Intereſt, Ability, and Reputation, and of Faithfulneſs and Affection to his Service: Sr. *Thomas Jermyn*, who was very Honeſt to him, and of good Abilities, through his indiſpoſition of health, and trouble of mind for his Son's misfortune, having left the Houſe, and the Court, and being retired into the Country: and Sr. *Harry Vane* (who was the other only Privy-Counſellor) having committed thoſe Faults to the King, he knew could not be forgiven; and thoſe Faults to the Country, could not be forgotten; gave himſelf entirely to the diſpoſition of his new Maſters: and Mr. *Saint-John*, who at the beginning was made Sollicitor General, and thereby, had obliged himſelf by a particular Oath, "to Defend his Majeſty's Rights; and in no caſe to be of Counſel, or give Advice, to the Prejudice of the King, and the Crown; was the Chief Inſtrument, to Deviſe and Contrive all the Propoſitions, and Acts of Undutifulneſs towards him. So that, whilſt Theſe men, and their Conſorts, with the greateſt deliberation, conſulted, and diſpoſed themſelves to compaſs Confuſion; They, who out of the moſt abſtracted Senſe of Loyalty to the King, and Duty to their Country, ſever'd from any relations to the King's ſervice, or hopes from the Court, preſerv'd their own Innocence, and endeavour'd to uphold the good old frame of Government, receiv'd neither countenance nor conduct, from Thoſe who were naturally to have taken care of that province. And ſure, the Raging and Fanatick Diſtemper of the Houſe of Commons (to which all other diſtempers are to be imputed) muſt moſt properly be attributed, to the Want of Such good Miniſters of the Crown in that Aſſembly, as being Unaw'd by any Guilt of their Own, could have watch'd Other men's; and inform'd, encouraged, and influenced thoſe, who ſtood well inclined to the Publick Peace.

To which purpoſe, if that Stratagem (though none of the beſt) of winning men by Places, had been practiſed, as ſoon as the reſolution was taken at *York* to call a Parliament; (in which, it was apparent, dangerous attempts would be made; and that the Court could not be able to reſiſt thoſe attempts) and if Mr. *Pym*, Mr. *Hambden*, and Mr. *Hollis*, had been then Preferr'd, with Mr. *Saint-John*; before They were deſperately embark'd in their deſperate deſigns; and had Innocence enough about them, to truſt the King, and be truſted by him; having yet contracted no Perſonal animoſities againſt him: it is very poſſible, that They might either have been made Inſtruments to have done good Service; or at leaſt been reſtrain'd, from endeavouring to Subvert the Royal Building, for ſupporting whereof They had been placed as principal Pillars.

But the Rule the King gave himſelf, (very reaſonable at any other time) that They ſhould Firſt do Service, and compaſs this or that thing for him, before they ſhould receive Favour, was then very unſeaſonable: ſince, beſides that They could not in truth do him that Service without the qualification, it could not be expected They would deſert that Side, by the Power of which They were ſure to make themſelves conſiderable, without an unqueſtionable mark of intereſt in the Other, by which They were to keep up their Power and Reputation: and ſo, whilſt the King expected They ſhould manifeſt their inclinations to His Service, by their Temper and Moderation in thoſe Proceedings that moſt offended him; and they endeavour'd, by doing all the Hurt they could, to make evident the Power they had to do him Good; He grew ſo far Diſobliged, and Provoked, that he could not in Honour Gratify them; and They ſo Obnoxious, and Guilty, that they could not think themſelves Secure in his Favour: and thence, according to the Policy and Method of Injuſtice, continued to Oppreſs that Power they had Injured; and to raiſe a Security for themſelves, by Diſabling the King to queſtion their tranſgreſſions.

Notwith-

The King's Reception in London upon his return out of Scotland, Nov. 25.

Notwithſtanding all theſe Contrivances, to Leſſen the Reputation of the Court; (to which many other particulars contributed; which will be touch'd hereafter) The City of *London* made great Preparations to receive the King. *Gourney*, then Lord Mayor, was a man of Wiſdom, and Courage; and expreſs'd great Indignation, to ſee the City ſo Corrupted, by the ill artifices of Factious perſons; and therefore attended upon his Majeſty, at his entrance into the City, with all the Luſtre and good Countenance it could ſhew; and as great profeſſions of Duty, as It could make, or the King expect. And on *Thurſday*, the Five and Twentieth of *November*, the King entred into *London*; receiv'd with the greateſt acclamations of Joy, that had been known upon any occaſion; and after a moſt magnificent Entertainment, by Sr. *Richard Gourney* Lord Mayor, at the *Guild-Hall*; where the King, Queen, Prince, and the whole Court, of Lords and Ladies, were Feaſted; his Majeſty was attended by the whole City to *White-Hall*, where he lodg'd that night; and the Earl of *Eſſex* reſign'd his Commiſſion, of General on this ſide *Trent*; which had been granted for the Security of the Kingdom, at his Majeſty's going into the North.

Sr. H. Vane turn'd out from being Secretary of State.

The next day, the King went to *Hampton-Court*; and aſſoon as he came thither, took away the Seals from Sr. *Henry Vane*; (having before taken away his Staff of Treaſurer of the Houſhold from him, and conferr'd it upon the Lord *Savile*, in lieu of the Preſidentſhip of the North; which he was to have had, if Both Houſes had not declared that Commiſſion to be Illegal) and appointed the Guards, that were kept at *Weſtminſter* for the Security of the two Houſes, ever ſince the News out of *Scotland*, to be diſmiſs'd; and ſhortly after, publiſh'd a Proclamation, "for Obedience "to be given to the Laws eſtabliſh'd, for the exerciſe of Religion.

A Petition preſented to the King, together with the Remonſtrance, on Decemb. 1. and Printed.

Theſe proceedings of his Majeſty, much troubled the Managers in the Houſe; and the Entertainment given to him by the City of *London*, in which their entire confidence was, much dejected them; and made them apprehend, their Friends There were not ſo Powerful as they expected: However they ſeem'd to abate nothing of their mettal; and ſhortly after his return, reſolv'd to preſent their Remonſtrance lately framed, to him, together with a Petition; in which they complain'd, "of a Malignant Party, "which prevail'd ſo far, as to bring divers of their Inſtruments to be of his Privy-"Council; and in other employments of truſt and nearneſs about his Majeſty, the "Prince, and the reſt of his Children; to which Malignant Party, amongſt other "wickedneſs, they imputed the Inſurrection of the Papiſts in *Ireland*; and therefore, "for the Suppreſſing that wicked and Malignant Party, They beſought his Majeſty, "that He would concur with his People, in a Parliamentary way, for the depriving the Biſhops of their Votes in Parliament, (when at that time the Bill to that purpoſe had not paſs'd the Houſe of Peers) "and abridging their immoderate power over "the Clergy; and for the removing unneceſſary Ceremonies, by which divers weak "Conſciences had been ſcrupled; That He would remove from his Council Such "perſons, as perſiſted to favour any of thoſe Preſſures wherewith the People had been "griev'd; and that He would for the future employ Such perſons in the Publick af-"fairs, and take Such to be near him in Places of truſt, as his Parliament might have "cauſe to confide in; and that He would reject, and refuſe, all mediation and ſolli-"citation to the contrary, how powerful and near ſoever; That He would forbear to "alienate any of the Forfeited and Eſcheated Lands in *Ireland*, which ſhould accrew "to the Crown by reaſon of this Rebellion. Which Deſires of Theirs being graciouſly "fulfill'd by his Majeſty, (They ſaid) They would apply themſelves to ſuch "Courſes and Counſels, as ſhould ſupport his Royal Eſtate, with Honour and Plenty "at home, with Power and Reputation abroad; and by Their Loyal Affections and "Service, lay a ſure and laſting foundation of the Greatneſs and Proſperity of his "Majeſty, and his Royal Poſterity in future times.

This Petition, together with the Remonſtrance, was preſented at *Hampton-Court*, on the Firſt day of *December*; and within few days after, both the Petition and Remonſtrance were by Order Printed, and with great induſtry Publiſh'd throughout the Kingdom. Albeit the King, at the receipt thereof, deſired them not to publiſh either, till He ſhould ſend his Anſwer: which he did ſhortly after, expreſſing;

The King's Anſwer to the Petition.

"How ſenſible He was of that Diſreſpect; reprehending them for the Unparlia-"mentarineſs of their Remonſtrance in Print; whereof (He ſaid) "He would reſerve "to himſelf to take ſuch courſe, as He ſhould think fit, in Prudence and Honour. But to their Petition, He told them, "That if They would make that Wicked and "Malignant Party, whereof they complain'd, known to his Majeſty, He would be "as ready to Suppreſs and Puniſh it, as they could be to Complain; That by thoſe "Councellors whom He had expoſed to Trial, He had given ſufficient teſtimony,

that

" that there was no man ſo near him, in place or affection whom he would not leave " to the Juſtice of the Law, if They ſhould bring ſufficient Proofs, and a particular " Charge againſt him; in the mean time, He wiſh'd them to forbear ſuch general " Aſperſions, as, ſince they named None in Particular, might reflect upon All his " Council; That for the Choice of his Councellors, and Miniſters of State, it was " the natural Liberty all Freemen have, and the undoubted Right of the Crown, to " call Such to his Secret Council, and Publick Employment, as he ſhould think fit; " yet He would be careful, to make election of Such, as ſhould have given good " teſtimonies of their Abilities and Integrity, and againſt Whom, there could be no " juſt cauſe of Exception; That for the depriving the Biſhops of their Votes in Par- " liament, They ſhould conſider, that Their Right, was grounded upon the Funda- " mental Law of the Kingdom, and conſtitution of Parliament.

" For what concern'd Religion, Church Government, and the removing unneceſ- " ſary Ceremonies, if the Parliament ſhould adviſe him to call a National Synod, " He ſhould conſider of it, and give them due Satisfaction therein; declaring His " reſolution, to maintain the Doctrine and Diſcipline eſtabliſh'd by Law, as well " againſt all invaſions of Popery, as from the irreverence of Schiſmaticks and Sepa- " ratiſts; wherewith, of late, this Kingdom and this City abounds. to the great diſ- " honour and hazard both of Church and State; for the Suppreſſion of whom, his " Majeſty required Their timely and active aſſiſtance.

" To Their deſire concerning *Ireland*, He told them, He much doubted, whether " it were Seaſonable to declare reſolutions of that nature, before the events of the " War were ſeen; however, He thank'd them for their advice, and conjured them, " to uſe all poſſible diligence and expedition in advancing the Supplies thither; the " Inſolence and Cruelty of the Rebels daily increaſing.

The graciouſneſs and temper of this Anſwer, made no impreſſion on them; but They proceeded in their uſual manner; framing and encouraging, underhand, thoſe whiſpers, by which, the Rebellion in *Ireland*, might be underſtood to receive ſome extraordinary countenance from the Court of *England*; the ſcandal whereof, They knew, would quickly fall upon the Queen.

At this time, the diligence and dexterity of the Lord Mayor, cauſed an Addreſs to be prepared to his Majeſty, from the Court of Aldermen; which was ſent by the two Sheriffs, and two Others of that Body; by which, " his Majeſty was humbly " deſired to reſide at *White-Hall*: which angred the Governing Party, as much as Their kind reception had done. The Petition was graciouſly receiv'd; all the Alder- men Knighted; and the Court within a day or two, remov'd to *White-Hall*.

Affairs in Ireland.

The Letters out of *Ireland* were very importunate for relief, of Men, Money, and Proviſions; the Rebels very much increaſing and taking courage, from the ſlow proceeding Here for their ſuppreſſion: which indeed was not advanced equal to mens expectations; though the King, upon his firſt coming to the Houſes after his return from *Scotland*, with great earneſtneſs recommended it to them. Only, the Propo- ſitions made from *Scotland*, " for the ſending ten thouſand men from Thence, into *Ulſter*, to be paid by the Parliament, were conſented to; whereby ſome Soldiers were diſpatch'd thither, to defend their own Plantation; and did in truth, at Our Charge, as much Oppreſs the *Engliſh* that were There, as the Rebels could have done; and had upon the matter the ſole Government of that Province committed to them, the chief Towns and Garriſons which were kept by rhe *Engliſh* being deliver'd into their hands. The Lieutenant himſelf, the Earl of *Leiceſter*, (who was now grown gracious to the Managers) made not that haſt to his Charge, ſome men thought ne- ceſſary; pretending " that the Rebels had Yet ſome apprehenſions and terrours of " His coming thither with great Forces, and Proviſions of all kinds; but that if they " ſhould hear He were Landed, with ſo ſmall a Strength as was yet raiſed, and in " no better Equipage than he was yet able to go in, They would take Courage, and " would Oppreſs him, before more Succours could come; by reaſon, that They who " yet ſtood upon their guard, and publickly ſided not with Either, (till, by the re- " ſiſtance and oppoſition they found prepared for them, they might gueſs Who was " like to prevail) would then freely declare, and join with the reſt.

A Bill prepared in the Houſe of Commons for Preſſing men for Ireland.

The ſlow levying of Men, was imputed to the Difficulty of getting Voluntiers; Their numbers, who had Commiſſion, upon beating Drums, riſing very inconſidera- bly: and therefore, they prepared a Bill for Preſſing; which quickly paſs'd the Com- mons, and was ſent up to the Lords. It cannot be ſuppoſed, that there could be then a Scarcity of Men, or that it could be hard, within three Months after the Diſ-

banding the Northern Army, to bring together as Many men as they had occaſion to uſe: but Their buſineſs was to get Power, not Men; and therefore, , this Sratagem was uſed, to transfer the Power of Preſſing men from the King, to Themſelves; and to get the King, that He might be Now Able to raiſe men for *Ireland*, to Diſable himſelf from Preſſing, upon any Other occaſion. For, in the Preamble of the Bill, which They ſent up to the Lords, (as they had done before, the firſt Act for Tonnage and Poundage) They declared, "That the King had in "no caſe, or upon any occaſion, but the Invaſion from a Forreign Power, Au- "thority to Preſs the Free-born Subject; which could not conſiſt with the Freedom "and Liberty of his perſon.

The Preamble of the Bill, as it came from the Commons, excepted againſt in the Houſe of Lords.

This doctrine was new to the Lords, and contrary to the uſage and cuſtom of all times; and ſeem'd to them a great Diminution of that Regal Power, which was neceſſary for the Preſervation of his own Subjects, and Aſſiſtance of his Allies; which in many caſes He was bound to yield. And the Attourney General took the courage, "to deſire the Lords, (as he ſhould often have done in other caſes) "that he might be heard, on the King's behalf, before they conſented to a Clauſe "ſo Prejudicial to the King's Prerogative. This neceſſary ſtop was no ſooner made, than the Commons laid aſide the conſideration of *Ireland*; order'd their Committee, "to meet no more about that buſineſs; the Levies which were then making of Voluntiers, ſtood ſtill; and they declared, "that the Loſs of *Ireland* muſt be imputed to the Lords. On the other ſide the Lords too well underſtood that Logick, to be moved by it; and were rather ſenſible of the Inconveniencies they had incurr'd by their former Compliance, than inclined to repeat the ſame error.

In the mean time, Letters came every day from *Ireland*, paſſionately bemoaning Their condition; and multitudes of Men, Women and Children. who were deſpoil'd of their Eſtates, and forced into this Kingdom for want of Bread, ſpoke more lamentably than the Letters. In this ſtrait, they knew not what to do; for whatever diſcourſe they pleaſed themſelves with, concerning the Lords, it was evident the Fault would ly at their Own doors: beſides that, his Majeſty might make uſe of that occaſion, to take the whole buſineſs out of their hands, and manage it Himſelf by his Council; which would both leſſen their reputation and intereſt, and indeed defeat much of what they had projected.

Saint-John *adviſes the King to offer an Expedient.*

Hereupon, Mr. *Saint-John*, the King's Sollicitor, (a man that might be truſted in any company) went privately to his Majeſty; and ſeem'd to Him much troubled, "at the Interruption given by the Commons; and to grant that the Preamble was "Unreaſonable, and ought to be inſiſted againſt by the Lords, on the behalf of his "Majeſty's Prerogative: However, He told him, ſince He thought it impoſſible "to rectify the Commons in their underſtandings, it would be a great bleſſing to "his Majeſty, if He could offer an Expedient to remove that Rub, which muſt "prove Fatal to *Ireland* in a ſhort time; and might grow to ſuch a Diſunion be- "tween the two Houſes, as might much cloud the happineſs of This Kingdom; "and undoubtedly, could not but have a very Popular Influence upon Both, "when Both Sides would be forwarder to acknowledge his Majeſty's great "Wiſdom and Piety, than they could be now made, to retract any thing that was "Erroneous in Themſelves: and then, "adviſed him to come to the Houſes, and "to expreſs His Princely Zeal for the relief of *Ireland*; and taking notice of the Bill for Preſſing, depending with the Lords, and the Diſpute raiſed, concerning "that ancient and undoubted Prerogative, to avoid further Debate, to offer, That "the Bill ſhould Paſs with a *Salvo Jure*, both for the King and People; leaving "ſuch Debates, to a time that might better bear it.

The King puts it in practice.

Which advice his Majeſty follow'd; and coming to the Houſe, ſaid the very words He had propoſed to him. But now Their buſineſs was done; (which truly, I think, no other way could have been compaſs'd) the Divided Lords and Commons preſently Unite themſelves, in a Petition to the King; "acknowledging His Royal "Favour and Protection to be a great Bleſſing and Security to them, for the en- "joying and preſerving all thoſe private and publick Liberties and Priviledges "which belong unto them; and whenſoever any of thoſe Liberties or Priviledges "ſhould be invaded, They were bound, with humility and confidence, to reſort to "his Princely juſtice for redreſs and ſatisfaction, becauſe the Rights and Privi- "ledges of Parliament, were the Birth-right and Inheritance, not only of Them- "ſelves, but of the whole Kingdom, wherein every one of his Subjects was in- "tereſs'd: That amongſt the Priviledges of Parliament, it was their ancient and undoubted

The Lords and Commons declare this to be a breach of Priviledge, in a Petition to the King.

" undoubted Right, that his Majeſty ought not to take notice of any matter in agi-
" tation and debate, in Either Houſe of Parliament, but by their information and
" agreement; and that his Majeſty ought not to propound any condition, proviſion,
" or limitation, to any Bill, or Act, in debate or preparation, in Either Houſe of
" Parliament, or to declare His conſent or diſſent, His approbation or diſlike, of
" the ſame, before it be preſented to him in due courſe of Parliament. They de-
" clared, That all thoſe Priviledges had been lately broken, to their great ſorrow
" and grief, in that Speech which his Majeſty had made to them; wherein He took
" notice of a Bill for Preſſing of Soldiers, not yet agreed upon; and offer'd a
" *Salvo Jure*, and proviſional clauſe, to be added to it, before it was preſented
" to him: and therefore They beſought him, by his Royal Power to Protect them,
" in Thoſe and the Other Priviledges of his High Court of Parliament; and that He
" would not, for the time to come, break or interrupt them; and that, for the
" Reparation of them in that their Grievance and Complaint, He would declare
" and make known the Name of ſuch Perſon, by whoſe Miſinformation, and Evil
" Counſel, his Majeſty was induced to the ſame, that he might receive condign
" Puniſhment. And this They did deſire, and as his greateſt and moſt faithful
" Council did adviſe, his Majeſty to perform; as a great advantage to him, by
" procuring and confirming a Confidence and Unity betwixt his Majeſty and his
" People, *&c.*

And having deliver'd this Petition, They no more conſider'd *Ireland*, till this manifeſt Breach ſhould be repair'd; which they reſolv'd nothing ſhould do, but the Paſſing the Bill: and therefore, when the King offer'd, by a meſſage ſent by the Earl of *Eſſex*, " That He would take care, by Commiſſions which He would grant, that
" ten thouſand *Engliſh* Voluntiers ſhould be ſpeedily raiſed, for the ſervice of *Ire-*
" *land*, if the Houſes would declare that They would Pay them; the overture was wholely rejected: They neither being willing that ſuch a body of men ſhould be raiſed by the King's direction, (which would probably be more at His devotion than They deſired) nor in any other way than they propoſed: and ſo in the end, (after other Ill Accidents intervening, which will be remember'd in order) He was compell'd to Paſs the Bill concerning Preſſing which they had prepared.

Whereupon the Bill concerning Preſſing, Paſs'd.

However, for all This, and the better, it may be, for all this; the King, upon his arrival at *White-Hall*, found Both his Houſes of Parliament of a much better Temper than they had been, Many having great Indignation, to ſee his Majeſty ſo Ill treated by his Own Servants, and Thoſe, who were moſt obliged to his bounty and magnificence; and likewiſe to diſcern, how much Ambition and private Intereſt, was cover'd under Publick Pretences. They who were intruth zealous, for the Preſervation of the Laws, the Religion, and True Intereſt of the Nation, were ſollicitous, to Preſerve the King's Honour from any indignity, and his Regal Power from violation; and ſo always oppoſed Thoſe who intrench'd upon Either, and who could compaſs Their ends by no other means than by trampling upon Both. So that, intruth, That which was call'd the King's Party, in Both Houſes, was made up of perſons who were Strangers, or without any Obligation to the Court; of the beſt Fortunes, and the beſt Reputation, in their ſeveral Countries where they were known; as having always appear'd very Zealous in the maintainance of Their Juſt Rights, and Oppoſed, as much as in them lay, all Illegal and Grievous Impoſitions: whilſt His own Privy-Council, (Two or Three only excepted) and much the greater number of all his own Servants, either publickly Oppoſed, or privately Betray'd him; and ſo much the more virulently abhor'd all Thoſe who now appear'd to carry on His Service, becauſe they preſumed to undertake, at leaſt endeavour, (for they undertook nothing, nor look'd for any Thanks for their labour) to do that which themſelves ought to have done; and ſo they were upon this Diſadvantage, that whenever they preſs'd any thing in the Houſe, which ſeem'd immediately to advance the King's Power and Authority, ſome of the King's Council, or his Servants, moſt oppoſed it, under the notion " of being Prejudicial to the King's Intereſt: whilſt They who had uſed to govern and impoſe upon the Houſe, made a ſhew of being more modeſt, and yet were more inſolent; and endeavour'd, by ſetting new Counſels on foot, to entangle, and engage, and indeed to over-reach the Houſe; by cozening them into Opinions which might hereafter be appliable to their Ends, rather than to purſue their old Deſigns, in hope to obtain in the end a Succeſs by their Authority. The Night of the Remonſtrance had humbled them in that point: and from that time,

time, They rather contrived ways to Silence Thoſe who oppoſed them; by traducing them Abroad, or taking advantage againſt them in the Houſe, for any Expreſſions They uſed in Debate which might be miſinterpreted; and ſo calling them to the Bar, or committing them to the Tower: which did intruth ſtrike ſuch a Terrour into the minds of many, that they forbore to come to the Houſe, rather than expoſe themſelves to many Uneaſineſſes there.

A Propoſal in the Houſe of Commons, for a Committee to conſider of the Preſent State and Power of the Militia:

There was at this time, or thereabout, a Debate ſtarted in the Houſe, as if by meer chance, which produced many Inconveniences after; and if there had not been too many concurrent cauſes, might be thought the ſole cauſe and ground of all the Miſchiefs that enſued. Upon ſome report or diſcourſe of ſome Accident, which had happen'd upon or in the Disbanding the late Army, an obſcure Member moved, "That the Houſe would enter upon the conſideration, Whether the Mili-"tia of the Kingdom was ſo Settled by Law, that a Suddain Force or Army "could be drawn together, for the Defence of the Kingdom if it ſhould be Invaded, "or to Suppreſs any Inſurrection or Rebellion if it ſhould be attempted.

The Houſe kept a long Silence after the motion, the newneſs of it amuſing moſt men, and few in truth underſtanding the meaning of it; untill one, and another of the Members, who were leaſt taken notice of, ſeeming to be moved by the weight of what had been ſaid, enlarged upon the ſame argument: and in the end it was propoſed, "That a Committee might be appointed, to conſider of the preſent State "of the Militia, and the Power of it; and to prepare ſuch a Bill for the Settling it, "as might provide for the Publick Peace, and for the ſuppreſſing any Forreign Enemy, or Domeſtick Inſurrection.

This debated;

Hereupon, They were inclined to nominate a Committee, to prepare ſuch a Bill as ſhould be thought neceſſary: Upon which, Mr. *Hyde* ſpoke againſt the making any ſuch Committee; ſaid, "There could be no doubt, that the Power of the Mi-"litia reſided in the King, in Whom the Right of making War and Peace was "inveſted; that there had never Yet appear'd any Defect of Power, by which the "Kingdom had been in Danger, and we might reaſonably expect the ſame Secu-"rity for the future. With which the Houſe ſeem'd well ſatisfied, and compoſed, and inclined to go on upon ſome other Debate; until *Saint-John*, the King's Sollicitor, and the Only man in the Houſe of his Learned Conncil, ſtood up, and ſaid, "He would not ſuffer that Debate, in which there had been ſo many weighty par-"ticulars mention'd, to be diſcontinued, without ſome Reſolution; That He would "be very glad there were that Power in the King, (whoſe Rights he was bound "to defend) as the Gentleman who ſpoke laſt ſeem'd to imagine; which for His "part he knew there was not; That the queſtion was not about taking away "Power from the King, which was veſted in him, (which was his Duty always "to oppoſe) but to enquire whether there be Such a Power in Him, or any were "elſe, as is neceſſary for the Preſervation of the King and the People, in many "caſes that may fall out; and if there be not, then to ſupply him with that Power "and Authority; and ſaid, "He did take upon him with confidence to Affirm, "That there was a Defect of Such Power and Authority: He put them in mind, "how that Power had been executed in the age in which we live; That the "Crown had granted Commiſſions to great men, to be Lord Lieutenants of Coun-"ties; and They, to Gentlemen of quality, to be their Deputy Lieutenants; and to "Colonels, and other Officers, to conduct and liſt Soldiers; and then he wiſh'd "them to conſider, what Votes they had paſs'd, of the Illegality of all thoſe Com-"miſſions, and of the Unjuſtifiableneſs of all the Proceedings which had been by "virtue of thoſe Commiſſions; So that let the Occaſion or Neceſſity be what it "would, He did preſume, no man would hereafter Execute any ſuch Commiſſion: "and if there were any man ſo hardy, that nobody would Obey them; and there-"fore deſired them to conſider, whether there be not a Defect of Power, and "whether it ought not to be ſupplied.

and Soll. Gen. Saint-John declares the Power of it Not to be in the King:

It was now evident enough, that the Debate was not begun by chance, but had been fully deliberated; and what Uſe they would make upon occaſions, of thoſe Volumes of Votes, they had often poured out upon all accidental Debates; and no man durſt take upon him to Anſwer all that had been alledg'd, by ſaying, all thoſe Votes were of no Validity; and that the King's Right was, and would be, judg'd the ſame it had been before, notwithſtanding thoſe Votes; which is very true: But thisbeing urged by the King's own Sollicitor, they appointed him "to bring in and prepare ſuch a Bill as he thought neceſſary; few men imagining, thar ſuch a

He is appointed to bring in a Bill to Settle that matter;

Sworn

Sworn Officer would not be very careful and tender of all his Master's Prerogatives, which he was expresly Sworn to Defend.

Within few days after, he brought in a very short Bill; in which was mention'd by way of Preface, "That the Power over the Militia of the Kingdom was not "Settled, in any such manner, that the Security of the Kingdom was provided "for, in case of Invasion, or Insurrection, or any suddain Accidents; and then an Enacting clause, "That henceforward the Militia, and all the Power thereof, "should be vested in—*&c.*; and then a large Blank left, for incerting Names; and afterwards, "the absolute Authority to Execute—*&c.* The ill meaning whereof was easily understood; and with some warmth press'd, "That by this Bill, all "the Power would be taken out of the Crown, and put inro the hands of Com-"missioners. To which the Sollicitor made answer, "That the Bill took no "Power from any body who had it; but provided to give Power where it was not: "nor was there mention of any Commissioners; but a Blank was therefore left, that "the House might fill it up as they thought fit, and put the Power into Such hands "as they thought proper; which, for ought he knew, might be the King's; and "he hoped it would be so. *which he does*

And with this Answer the Bill was receiv'd, notwithstanding all opposition, and read: all those persons who had been formerly Deputy Lieutenants, and lay under the Terrour of that Vote, presuming, that this Settlement would provide for the Indemnity of all that had pass'd before; and the Rest, who might still be exposed to the same hazards, if they should be required to act upon the like occasions, concurring in the desire, that somewhat might be done for a general Security; and they who had contrived it, were well enough contented that it was Once read; not desiring to prosecute it, till some more favourable conjuncture should be offer'd: and so it rested. *The Bill receiv'd.*

About this time, the King not being well satisfied in the affection or fidelity of Sr. *William Balfour*; whom he had some years before, to the great and general Scandal, and Offence of the *English* Nation, made Lieutenant of the Tower; and finding that the Seditious Preachers every day prevail'd in the City of *London*, and Corrupted rhe Affections and Loyalty of the meaner People towards the Government of the Church and State; resolv'd to put that Place (which some men fancied to be a Bridle upon the City) into the hands of such a man as he might rely upon: and yet, he was willing to be quit of the other, without any act of Disobligation upon him; and therefore gave him three thousand pounds, ready money, which was raised by the Sale of some of the Queen's own Jewels: and immediately caused Colonel *Lunsford* to be Sworn in his Place, Lieutenant of the Tower. *The King dismisses Sr.* William Balfour *from being Lieutenant of the Tower.* *Colonel* Lunsford *put in his place.*

This was no sooner known, than the House of Commons found themselves concern'd in it; and upon pretence "that so excellent a person, as Sr. *William Balfour*, (who intruth was very gracious to them, for the safe keeping the Earl of *Strafford*) "could not be remov'd from that Charge, but upon some eminent Design against "the City and the Kingdom; and that the man who was appointed for his Succ-"essor, was a person of great Licence, and known only by some Desperate acts; "for which he had been formerly Imprison'd by the State, and having made his "escape, fled the Kingdom: They desired the Lords to join with them in a Petition "to the King, to put the Tower into better hands; making such arguments against the "person of the man, as before spoken of. The Lords replied to them, "That it "was an argument of that nature, they thought not themselves competent Advisers in "it; the custody of the Tower being solely at the King's disposal, who was only "to judge of the Fitness of the Person for such a Charge: But, at the same time that they refused to join in a publick Desire to the King, they intimated privately their Advice to him, "That he should make choice of a fitter Person, against whom "no Exceptions could be made. For indeed, Sr. *Thomas Lunsford* was not then known enough, and of reputation equal to so envious a province; and thereupon, within two or three days at most, he resign'd the Place, and the King gave it Sr.. *John Byron*. *The Colenel resigns, and Sr.* John Byron *is put in.*

This gave them no Satisfaction in the Change, since it had no reference to their Recommendation; which they only look'd after: but it gave them great delight, to see that the King's Counsels were not so fix'd, but their Clamour might alter them; and that doing Hurt, being as desirable a degree of Power, to some men, as doing Good, and likely to gain them more Proselytes, they had Marr'd a man, though they could not make one. And without doubt, it was of great Disadvantage to the King, that that Counsel had not been form'd with such

deliberation, that there would need no alteration; which could not be made, without a kind of recognition.

Touching the Bill againſt the Biſhops Votes, depending in the Houſe of Peers.

All this time, the Bill depended in the Lords Houſe, " for the taking away the " Votes of Biſhops, and removing them from the Houſe of Peers; which was not like to make a more proſperous progreſs there, then it had ſix months before; it being evident, that the Juriſdiction of the Peerage was invaded by the Commons; and therefore, that it was not reaſonable to part with any of their Supporters. But the Virulence againſt them ſtill increaſed; and no Churches frequented, but where They were Preach'd againſt, as Anti-chriſtian; The Preſſes ſwell'd with the moſt vitulent Invectives againſt them; and a Sermon was Preach'd at *Weſtminſter*, and afterwards Printed, under the Title of *The Proteſtation Proteſted*, by the infamous *Burton*, wherein He declared, " That all men were obliged by their late Proteſta- " tion, by what means ſoever, to remove both Biſhops and the Common-Prayer-Book " out of the Church of *England*, as Impious and Papiſtical: whilſt all the Learned and Orthodox Divines of *England*, were look'd upon under the notion of Scanda- lous Miniſters; and if the Meaneſt, and moſt Vitious Pariſhioner They had, could be brought to prefer a Petition againſt either of them to the Houſe of Commons, (how Falſe ſoever) He was ſure to be Proſecuted as ſuch.

A Petition publiſh'd, in the name of the Apprentices, againſt Papiſts and Prelates.

In the end, a Petition was Publiſh'd, in the name " of the Apprentices, and " Thoſe whoſe Apprenticeſhips were lately expired, in and about the City of *Lon- " don*; and directed, " To the King's moſt Excellent Majeſty in the Parliament now " aſſembled; Shewing, " That They found by experience, both by Their Own " and Maſters Tradings, the beginning of great Miſchiefs coming upon them, to nip " them in the bud, when they were firſt entring into the world; the Cauſe of " which, They could attribute to no others but the Papiſts, and the Prelates, and " that Malignant Party which adhered to them: That They ſtood ſolemnly enga- " ged, with the utmoſt of their Lives and Fortunes, to Defend his Sacred Maieſty " and Royal Iſſue, together with the Rights and Liberties of Parliaments, againſt " Papiſts, and Popiſh Innovators; ſuch as Arch-Biſhops, Biſhops and their dependents, " appear to be. They deſired his Majeſty in Parliament to take notice, that, notwith- " ſtanding the much unwearied pains and induſtry of the Houſe of Commons, to " ſubdue Popery, and Popiſh Innovators; neither is Popery Yet ſubdued, nor Pre- " lates are yet remov'd; whereby Many had taken encouragements deſperately to " Plot againſt the Peace and Safety of his Dominions: witneſs the moſt Barbarous " and Inhumane Cruelties perpetrated by the Papiſts in *Ireland*; from whence " (They ſaid) a new ſpring of Fears and Jealouſies aroſe in them: and therefore " They deſired, that the Popiſh Lords, and other eminent and dangerous Papiſts, " in all the parts of the Kingdom, might be look'd unto, and Secured; the Laws " againſt Prieſts and Jeſuits fully executed; and the Prelacy rooted up: That ſo the " work of Reformation might be Proſperouſly carried on; Their diſtracting Fears " remov'd; that the freedom of Commerce and Trade might paſs on more chearfully, " for the encouragement of the Petitioners. *&c.*

This, and ſuch ſtuff, being Printed, and ſcatter'd amongſt the People; Multitudes of mean perſons flock'd to *Weſtminſter*-Hall, and about the Lords Houſe; crying as they went up and down, *No Biſhops, No Biſhops*, " that ſo they might carry on the Reformation.

The Commons Petition the King for a Guard.

I ſaid before, that upon the King's return from *Scotland*, He Diſcharged the Guards that attended upon the Houſes. Whereupon, the Houſe of Commons (for the Lords refuſed to join with them) Petition'd the King, " in regard of the Fears " They had of ſome Deſign from the Papiſts, that they might continue ſuch a Guard " about them as They thought fit.

His Majeſty's Anſwer.

To which his Maieſty anſwer'd, " That He was confident They had no juſt cauſe " of Fear; and that They were as Safe, as Himſelf and his Children: but, ſince They " did avow ſuch an apprehenſion of Danger, that He would appoint a ſufficient " Guard for them. And thereupon, directed the Train-bands of *Weſtminſter* and *Middleſex*, (which conſiſted of the moſt ſubſtantial Houſholders, and were under known Officers) in fit numbers to attend.

This Security was not liked; and it was ask'd, -- *Quis cuſtodiet ipſos Cuſtodes* --? And when the diſorderly Rabble, ſpoke of now, firſt came down, They reſiſted them, and would not ſuffer them to diſturb the Houſes; and Some of them, with great rudeneſs, preſſing to the door of the Houſe of Peers, their Lordſhips appointed the Guards to be call'd up to remove them; and the Earl of *Dorſet*, being then Lord

Lord Lieutenant of *Middleſex*, (the Crowd oppreſſing him, and refuſing to leave the Room) in ſome Paſſion, call'd upon the Guard " to give Fire upon them; whereupon, the Rabble Frighted, left the place, and haſted away.

The Houſe of Commons, incenſed that Their Friends ſhould be ſo uſed, much Inveigh'd againſt the Earl of *Dorſet*; and talk'd, " of Accuſing him of High Trea- " ſon; at leaſt, " of drawing up ſome Impeachment againſt him; for ſome Judge- ment He had been Party to, in the Star-chamber, or Council-Table: and ſo, giving theſe hints of Their Diſpleaſure, that He might have the more care how he carried himſelf; They concluded, that ſince They could not have Such a Guard as pleaſed Them, They would have None at all: and ſo ſent to the Lords " for the Diſcharge " of the Train-bands that attended; who willingly conſented to it; and it was done accordingly: The Houſe of Commons declaring, " That it ſhould be Lawful, " for every Member to bring his own Servant to attend at the door, Arm'd with ſuch " weapons as They thought fit.

Great Tumults about the Houſe of Peers.

It was quickly underſtood abroad, that the Commons liked well the Viſits of their Neighbours: So that the People aſſembled in greater Numbers than before, about the Houſe of Peers; calling ſtill out with One voice, *No Biſhops, No Popiſh Lords*; Crowded and Affronted ſuch Lords as came near them, who They knew affected not their ends, calling them *Rotten-hearted Lords.*

Hereupon, the Houſe of Peers deſired a Conference with the Commons; at which, They complain'd of thoſe Tumults; and told them, " That ſuch Diſorders would " be an Imputation upon the Parliament, and make it be doubted, Whether They " had Freedom; and ſo might happily become a Blemiſh to thoſe many good " Laws They had already Paſs'd as well as Prevent the making more; and therefore " deſired them that They would, for the Dignity of Parliaments, join with Them " in a Declaration, for the Suppreſſing ſuch Tumults. This was reported to the Commons; and aſſoon laid aſide " for the handling of other matters of more Importance.

The Tumults continued and their Inſolences increas'd; inſomuch, as many Diſſolute and Prophane People, went into the Abby at *Weſtminſter*, and would have pull'd down the Organs, and ſome Ornaments of the Church; but being reſiſted and by force driven out, They threatned, " They would come with greater numbers, " and pull down the Church.

Hereupon, the Lords ſend again to the Houſe of Commons, to join with them in their Declaration; and many Members of that Houſe complain'd, " that they " could not come with ſafety to the Houſe; and that ſome of them had been " aſſaulted, and very ill entertain'd, by thoſe People that crowded about the door. But this Conference could not be procured; the Debate being ſtill put off to ſome other time; after ſeveral Speeches had been made in Juſtification of them, and Commendation of their affections: Some ſaying, " They muſt not Diſcourage " their Friends, This being a time They muſt make uſe of All Friends; Mr. *Pym* himſelf ſaying, " God forbid the Houſe of Commons ſhould proceed in any way " to Diſhearten people to obtain their Juſt Deſires " in ſuch a way.

The Lords direct a Writ to be iſſued out to appoint Watches.

In the end, the Lords required the advice of the Judges, " what courſe was " Legally to be taken, to Suppreſs and Prevent thoſe Diſorders; and thereupon, directed the Lord Keeper of the Great Seal, " to iſſue out a Writ, upon the " Statute of *Northampton*, to the Sheriff and Juſtices, to appoint ſtrong Watches " in ſuch places as They judg'd moſt convenient, to hinder that unlawful conflux " of People to *Weſtminſter*, to the diſturbance of Their conſultations. Which Writ iſſuing accordingly, the Juſtices of the Peace, in obedience thereunto, appointed the Conſtables to attend at the Water-ſide, and places near about *Weſtminſter*, with good Watches, to hinder that Tumultuous reſort.

The Houſe of Commons diſcharges them.

This was no ſooner done, than the Conſtables were ſent for, by the Houſe of Commons; and, after the view of their Warrants, required to diſcharge their Watches. And then the Juſtices were convened, and examin'd; and albeit it appear'd, that what They had done was in purſuance of a Legal Writ, directed to Them under the Great Seal of *England*, by the advice of the Lords in Parliament; without ſo much as conferring with the Lords upon that act of Theirs; the ſetting ſuch a Watch, was voted to be " a Breach of Priviledge: and one of the Juſtices of the Peace, who, according to his Oath had executed that Writ, was committed to the Tower for that offence.

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Upon this encouragement, all the Factious and Schiſmatical People about the City and Suburbs, aſſembled themſelves together with great licence; and would frequently, as well in the night as the day, convene themſelves, by the ſound of a Bell, or other token, in the Fields, or ſome convenient place, to conſult, and receive Orders from thoſe by whom they were to be diſpoſed. A meeting of this kind being about the time we ſpeak of in *Southwark*, in a place where their Arms and Magazine for that Burrough was kept; the Conſtable, being a ſober man, and known to be an Enemy to thoſe acts of Sedition, went among them, to obſerve what they did; he was no ſooner eſpied, but he was reproach'd with diſdainful words, beaten, and dragg'd, in ſo barbarous a manner, that he hardly eſcaped with his life. Complaint was made to the next Juſtices, and Oath of the Truth of the complaint made: whereupon, a Writ was directed to the Sheriff, to impannel a Jury according to Law, for the inquiſition and examination of that Riot.

This was complain'd of in the Houſe of Commons, as an act that concern'd their Priviledges; for that it was pretended; "That meeting in *Southwark* had been "made by godly and well affected men, only to draw up and prepare a Petition "againſt Biſhops; and that the Conſtable, being a Friend to Biſhops, came amongſt "them to croſs them, and to hinder men from Subſcribing that wholeſome Petition. Upon this diſcourſe, without any further examinarion, an Order was made by that Houſe, "That the Under-Sheriff of *Surrey* ſhould be enjoin'd, not to ſuffer any "Proceedings to be made upon any Inquiſition, that might concern any perſons "who met together to Subſcribe a Petition to be preferr'd to that Houſe.

By this and other means, all obſtacles of the Law being remov'd, and the People taught a way to aſſemble lawfully together, in how Tumultuous a manner ſoever, and the *Chriſtmas* Holy-days giving more leave and licence to all kind of People, the Concourſe grew more numerous about *Weſtminſter*, the Rabble ſometimes, in their paſſage between the City and *Weſtminſter*, making a ſtand before *White-Hall*, and crying out, *No Biſhops, No Biſhops, No Popiſh Lords*, would ſay aloud, "that "they would have no more Porters Lodge, but would Speak with the King when "they pleaſed: and when they came near the two Houſes, took Papers out of their Pockets, and getting upon ſome place higher than the reſt, would Read the Names of ſeveral perſons, under the Title of *Diſaffected Members of the Houſe of Commons*; and call'd many Lords, *Falſe, Evil*, and *Rotten-hearted Lords*. But their Rage and Fury againſt the Biſhops grew ſo high, that they threatned to Pull down the Lodgings where they lay; offer'd to Force the Doors of the Abby at *Weſtminſter*, which were kept Lock'd many days, and defended by a continual Guard within; and Aſſaulted the Perſons of ſome of the Biſhops in their Coaches; and laid hands on the Arch-Biſhop of *York*, in that manner, that, if he had not been ſeaſonably reſcued, it was believ'd, they would have Murder'd him: So that all the Biſhops, and many other Members, of Both Houſes, withdrew themſelves from attending in the Houſes, out of a real apprehenſion of Endangering their Lives.

The Tumults increaſe about White-Hall, *and* Weſtminſter.

Whereupon all the Biſhops and many of Both Houſes withdrew from Their Attendance.

Theſe Inſurrections by this means were ſo Countenanced, that no induſtry or dexterity of the Lord Mayor of *London*, Sr. *Richard Gourney*, could give any Check to them; but inſtead thereof, Himſelf, (with great and very notable courage Oppoſing all their Fanatick humours, both in the Court of Aldermen and at the Common Council) grew to be reckon'd in the Firſt Form of the *Malignants* (which was the term they impoſed upon all thoſe they meant to render Odious to the People) inſomuch, as his Houſe, was no leſs Threatned and Diſquieted by the Tumults, than the Houſe of Lords: and when he apprehended ſome of thoſe who were moſt notorious in the Riot, and committed them to the cuſtody of Both the Sheriffs of *London* in Perſon, to be carried to *Newgate*, they were, by the power and ſtrength of their Companions Reſcued from them in *Cheapſide*, and the two Sheriffs compelled to Shift for their own ſafety. And when it was offer'd to be proved by a Member in the Houſe of Commons, That the Wife of Captain *Venn* (having received a Letter from her Husband to that purpoſe) who was one of the Citizens that ſerved for *London*, and was known himſelf to lead thoſe men, that came Tumultuouſly down to *Weſtminſter*, and *White-Hall*, at the time of the Paſſing the Bill of Attainder of the Earl of *Strafford*, and with great induſtry Sollicited many People to go down with their Arms to *Weſtminſter*, upon a day (that was named) when She ſaid, her Husband had ſent her word, that in the Houſe of Commons they were together by the Ears, and that the worſer Party

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was like to get the better of the good Party; and therefore her Husband desired his Friends to come with their Arms to *Westminster* to help the good Party: and that thereupon many in a short time went thither: They who offer'd to make Proof of the same, were appointed to Attend many days; but notwithstanding all the importunity that could be used, were never admitted to be Heard.

All this time the King (who had been with great Solemnity invited by the City of *London*, and desired to make his Residence nearer to them than *Hampton-Court*) was at *White-Hall*; where besides his ordinary Retinue, and menial Servants, many Officers of the late Disbanded Army, who Sollicited their Remainder of Pay from the Two Houses, which was secured to them by Act of Parliament, and expected some farther Imployment in the War with *Ireland*, upon observation and view of the Insolence of the Tumults, and the Danger, that they might possibly bring to the Court, offer'd themselves for a Guard to his Majesties Person; and were with more Formality, and Ceremony entertained by Him, than upon a just computation of all distempers, was by many conceived Seasonable. And from these Officers warm with indignation at the Insolences of that vile Rabble, which every day passed by the Court, first Words of great Contempt, and then, those words commonly finding a Return of equal Scorn, Blows were fastened upon some of the most Pragmatical of the Crew. This was looked upon by the House of Commons like a Levying War by the King, and much pity expressed by them, that the poor People should be so used, who came to them with Petitions, (for some few of them had received some Cuts, and Slashes, that had drawn Blood) and that made a great argument for Reinforcing their Numbers. And from those contestations the two Terms of *Round-Head* and *Cavalier* grew to be received in discourse, and were afterwards continued for the most Succinct distinction of affections throughout the quarrel: They who were looked upon as Servants to the King, being then called *Cavaliers*; and the other of the Rabble contemned, and despised under the names of *Round Heads*.

Some Officers Repell the Rabble about White-Hall.

Hence the terms of Round-Head and Cavalier.

The House of Commons being at this time without any Member, who having Relation to the King's Service, would express any Zeal for it, and could take upon him to say to others, whom he would trust, what the King desired, or to whom they, who wished well, could resort for advice, and direction; so that whilst there was a strong Conjunction, and Combination to disturb the Government by depraving it, whatever was said or done to Support it, was as if it were done by chance; and by the private dictates of the reason of private men; the King Resolved to call the Lord *Falkland*, and Sr. *John Colepepper*, who was Knight of the Shire for *Kent*, to his Council; and to make the former Secretary of State in the place of *Vane*, that had been kept vacant; and the latter Chancellor of the *Exchequer*, which Office the Lord *Cottington* had Resigned, that Mr. *Pym* might be put into it, when the Earl of *Bedford* should have been Treasurer, as is mentioned before. They were Both of great Authority in the House; neither of them of any relation to the Court; and therefore what They said made the more Impression; and they were frequent Speakers. The Lord *Falkland* was wonderfully beloved by all who knew him, as a man of Excellent Parts, of a Wit so Sharp, and a Nature so Sincere, that nothing could be more Lovely. The Other was generally esteemed as a good Speaker, being a man of an universal Understanding, a Quick Comprehension, a Wonderful Memory, who commonly Spoke at the end of the Debate; when he would recollect all that had been said of Weight on all sides with great exactness, and express his own Sense with much clearness, and such an application to the House, that no man more gathered a general Concurrence to his Opinion than he; which was the more notable, because his Person, and manner of Speaking were ungratious enough; so that he prevailed only by the strength of his Reason, which was inforced with Confidence enough.

The Lord Falkland made Secretary of State, and Sr. John Colepepper Chancellor of the Exchequer.

The King knew Them to be of good Esteem in the House, and good Affections to his Service, and the quiet of the Kingdom; and was more easily perswaded to bestow those Preferments upon them, than the Lord *Falkland* was to accept that, which was designed to him. No man could be more Surprized than he was, when the first Intimation was made to him of the King's purpose: He had never proposed any such thing to himself, nor had any Veneration for the Court, but only such a Loyalty to the King as the Law required from him.

And He had naturally a Wonderful Reverence for Parliaments, as believing them moſt Sollicitous for Juſtice, the Violation whereof in the leaſt degree he could not forgive any Mortal Power: and it was only his Obſervation of the Diſingenuity, and want of Integrity in this Parliament, which leſſened that Reverence to it, and had diſpoſed him to croſs, and oppoſe their Deſigns: He was ſo totally unacquainted with buſineſs, and the forms of it, that He did believe really he could not Execute the Office with any Sufficiency. But there were Two Conſiderations that made moſt Impreſſion upon him; the One, leaſt the world ſhould believe, that his own Ambition had procured this Promotion, and that he had therefore appeared Signally in the Houſe to Oppoſe thoſe Proceedings, that he might thereby render himſelf gratious to the Court: The Other, leaſt the King ſhould expect ſuch a Submiſſion, and Reſignation of himſelf, and his own reaſon, and judgement to his Commands, as he ſhould never give, or pretend to give; for he was ſo ſevere an adorer of Truth, that he could as eaſily have given himſelf leave to Steal as to Diſſemble, or to ſuffer any Man to think that he would do any thing, which he Reſolved not to do; which he thought a more miſchievous kind of lying, than a poſitive averring, what could be moſt eaſily contradicted.

It was a very difficult task to Mr. *Hyde*, who had moſt credit with Him, to perſwade Him to Submit to this purpoſe of the King's chearfully, and with a juſt Senſe of the Obligation, by Promiſing, that in thoſe Parts of the Office, which required moſt Drudgery, he would help him the beſt he could. But above all he prevailed with him, by inforcing the Ill conſequence of his refuſal to take the Office, which would be interpreted to his diſlike of the Court, and his Opinion, that more would be required from him than he could Honeſtly comply with, which would bring great Prejudice to the King. On the other hand the great Benefit that probably would redound to the King, and the Kingdom, by his accepting ſuch a Truſt in ſuch a general defection, by which he would have opportunity to give the King a truer Information of his own Condition, and the State of the Kingdom, than it might be preſumed had been given to him, and to prevent any Counſels or Practice, which might more alienate the affections of the People from the Government; and then, that by this Relation He would be more able to do the King Service in the Houſe, where He was too well known to have it believed, that He Attained to it by any unworthy Means or Application. In the end He was perſwaded to Submit to the King's good Pleaſure, tho' he could not be prevailed with to accept it with ſo good a grace, as might raiſe in the King any Notable Expectation of his departing from the Severity of his own Nature.

Thus, He and *Colepepper* were both inveſted in thoſe Offices, to the no ſmall diſpleaſure of the Governing Party, which could not diſſemble their Indignation that any of their Members ſhould Preſume to receive thoſe Preferments, which they had deſigned otherwiſe to have diſpoſed of. They took all opportunities to expreſs their diſlike of Them, and to Oppoſe any thing they Propoſed to Them. and within few days there came a Letter out in Print, pretended to be Intercepted, as written from a Roman Catholick to another of the ſame Profeſſion, in which he gives an account, "That they had at laſt, by the intereſt of their Friends, pro-"cured thoſe two Honourable Perſons (before mentioned) "to be preferred to "thoſe Offices, and that they were well aſſured that they would be ready to do "Them, and all their Friends, all good Offices. Sr. *John Colepepper* thought fit to take notice of it in the Houſe, and to make thoſe Profeſſions of his Religion, which he thought neceſſary. But the Lord *Falkland* choſe rather to Contemn it, without taking notice of the Libel, well knowing that he was Superior to thoſe Calumnies, as indeed he was; all of that Profeſſion knowing that He was moſt Irreconcilable to their Doctrine, tho' He was always Civil to their Perſons. However grievous this Preferment was to the angry part of the Houſe, it was very grateful to all thoſe both within, and without the Houſe, who wiſhed well to the King, and the Kingdom.

The King at the ſame time Reſolved to remove another Officer, who did diſſerve him notoriouſly, and to prefer Mr. *Hyde* to that place, with which his Gratious intentions his Majeſty acquainted him, but he poſitively refuſed it, and aſſured him, "That He ſhould be able to do much more Service in the condition he was "in, than he ſhould be, if that were improved by any Preferment, that could be

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conferred upon him at that time; and he added, " that he had the Honour to " have much Friendſhip with the two Perſons, who were very Seaſonably ad- " vanced by his Majeſty, when his Majeſty's Service in the Houſe of Commons " did intruth want ſome Countenance, and Support; and by his Converſation " with Them, he ſhould be ſo well inſtructed by Them, that he ſhould be more " uſeful to his Majeſty, than if it were under a nearer relation and dependance. The King, with a very Gratious Countenance, told him, " that he preceived he muſt, " for ſome time, defer the laying any Obligation upon him; but bid him be " aſſured he would find both a Proper Time, and a Suitable Preferment for him, " which he ſhould not refuſe. In the mean time, he ſaid, he knew well the Friend- ſhip between the two Perſons, whom he had taken to his Council, and him; which " was not the leaſt motive to him to make that choice; and that he would de- " pend as much upon His Advice, as upon either of Theirs; and therefore wiſhed " that all Three would Confer together, how to Conduct his Service in the Houſe, " and to adviſe his Friends how to carry themſelves moſt to the advantage of it, " and to give him conſtant Advertiſement of what had paſſed, and Counſel when, " it was fit for him to do any thing; and Declared that He would do nothing, " that in any degree concerned, or related to his Service in the Houſe of Com- " mons, without their joynt Advice, and exact Communication to them of all his own Conceptions; which, without doubt, his Majeſty did at that time ſtedfaſtly Reſolve, tho' in very few days he did very Fatally ſwerve from it.

By what hath been ſaid before, it appears that the Lord *Digby* was much truſted by the King, and he was of great familiarity, and friendſhip with the other Three, at leaſt with Two of Them; for he was not a Man of that Exactneſs, as to be in the entire Confidence of the Lord *Falkland*, who looked upon his infir- mities with more Severity than the other Two did; and he lived with more Frankneſs towards thoſe Two, than he did towards the Other: Yet even between thoſe two there was a free Converſation, and Kindneſs to each other. The Lord *Digby* was a man of very Extraordinary parts by Nature and Art, and had ſurely as good and excellent an Education as any man of that Age in any Country. A Graceful and Beautiful Perſon; of great Eloquence and Becomingneſs in his diſ- courſe (ſave that ſomtimes he ſeemed a little affected) and of ſo Univerſal a Knowledge, that he never wanted Subject for a diſcourſe: He was equal to a very good part in the greateſt Affairs, but the unfitteſt man alive to conduct them, having an ambition, and vanity Superior to all his other parts, and a con fidence in himſelf, which ſometimes intoxicated, and tranſported, and expoſed him. He had from his Youth, by the diſobligations his Family had undergone from the Duke of *Buckingham*, and the great men who ſucceeded him, and ſome ſharp reprehenſion himſelf had met with, which obliged him to a Country Life, contracted a prejudice, and ill will to the Court; and ſo had in the beginning of the Parliament, ingaged himſelf with that Party, which diſcovered moſt a- verſion from it, with a Paſſion and Animoſity equal to theirs, and therefore very acceptable to them. But when he was weary of their violent Counſels, and withdrew himſelf from them with ſome circumſtances, which enough provoked them, and made a Reconciliation, and mutual Confidence in each other for the future, manifeſtly impoſſible among them; he made private and ſecret offers of his Service to the King, to whom in ſo general a defection of his Servants, it could not but be very agreeable; and ſo his Majeſty being ſatisfied both in the Diſ- coveries, he made of what had paſſed, and in his Profeſſions for the future, remov- ed him from the Houſe of Commons, where he had rendred himſelf marvelloufly ungratious, and called him by Writ to the Houſe of Peers, where he did viſibly Advance the King's Service, and quickly rendred himſelf grateful to all thoſe, who had not thought too well of him before, when he deſerved leſs: and men were not only pleaſed with the Aſſiſtance he gave upon all Debates, by his Judgment and Vivacity, but looked upon him, as one, who could derive the King's Pleaſure to them, and make a lively repreſentation of their good demeanour to the King, which he was very luxuriant in promiſing to do, and officious enough in doing as much as was Juſt.

He had been inſtrumental in promoting the Three Perſons above mentioned to the King's favour; and had himſelf intruth ſo great an Eſteem of them, that he did very frequently upon Conference together, depart from his own Inclina- tion;

tions and Opinions, and Concurred in Theirs; and very few men of ſo great parts were, upon all occaſions, more Counſellable than he; ſo that he would ſeldom be in danger of running into great Errors, if he would communicate, and expoſe all his own thoughts, and inclinations to ſuch a diſquiſition; nor was he uninclinable in his Nature to ſuch an entire communication in all things, which he conceived to be difficult. But his fatal infirmity was, that he too often though difficult things very eaſy; and conſidered not poſſible conſequences, when the Propoſition adminiſtred ſomewhat that was delightful to his Fancy, by purſuing whereof he imagined he ſhould reap ſome Glory to himſelf, of which he was immoderatly Ambitious; So that if the conſultation were upon any action to be done, no man more implicitly entred into that Debate, or more chearfully reſigned his own conceptions to a joint determination: But when it was once affirmatively reſolved (beſides that he might poſſibly reſerve ſome impertinent circumſtance, as he thought, the imparting whereof would change the nature of the thing) if his Fancy ſuggeſted to him any particular, which himſelf might perform in that Action, Upon the imagination that every body would approve it if it were propoſed to them, he choſe rather to Do it, than Communicate it, that he might have ſome Signal part to himſelf in the Tranſaction, in which no other Perſon might claim a ſhare.

By this unhappy temper he did often involve himſelf in very unproſperous Attempts. The King himſelf was the unfitteſt Perſon alive to be ſerved by ſuch a Councellor, being too eaſily inclined to ſudden Enterprizes, and as eaſily Startled when they were entred upon. And from this unhappy compoſition in the One, and the Other, a very unhappy Counſel was propoſed, and reſolution taken, without the leaſt communication with either of the Three, who had been ſo lately admitted to an entire Truſt.

The Biſhops, who had been, in the manner before ſpoken of, driven, and kept from the Houſe of Peers, and not very Secure in their own, could not have the patience to Attend the Diſſolution of this Storm, which in Wiſdom they ought to have done: but conſidering Right and Reaſon too abſtractly, and what in Juſtice was due, not what in Prudence was to be expected; ſuffer'd Themſelves implicitly to be guided by the Arch-Biſhop of *York*, who was of a reſtleſs, and overweening Spirit, to ſuch an Act of indiſcretion, and diſadvantage to Themſelves, that all their Enemies could not have brought upon Them. This Biſhop, as is ſaid, was a man of a very Imperious and fiery Temper; Dr. *Williams*, who had been Biſhop of *Lincoln*, and Keeper of the Great Seal of *England* in the time of King *James*. After his removal from that Charge, He had lived Splendidly in his Dioceſs, and made himſelf very popular amongſt thoſe, who had no reverence for the Court; of which he would frequently, and in the preſence of many ſpeak with too much Freedom, and tell many Stories of Things and Perſons upon his own former Experience; in which, being a man of great Pride and Vanity, He did not always confine himſelf to a preciſe Veracity, and did often preſume in thoſe unwary diſcourſes, to mention the Perſon of the King with too little Reverence. He did affect to be thought an Enemy to the Arch-Biſhop of *Canterbury*; whoſe Perſon he ſeemed exceedingly to contemn, and to be much diſpleaſed with thoſe Ceremonies and Innovations, as they were then called, which were countenanced by the Other; and had himſelf publiſhed, by his own Authority, a Book againſt the uſing thoſe Ceremonies, in which there was much good Learning, and too little Gravity for a Biſhop. His Paſſion and his Levity gave every day great advantages to thoſe, who did not love him, and He provoked too many, not to have thoſe advantages made uſe of: So that after ſeveral Informations againſt Him in the Star-Chamber, He was Sentenced, and Fined in a great ſum of money to the King, and committed Priſoner to the Tower, without the pity, or compaſſion of any, but thoſe, who out of hatred to the Government, were ſorry that they were without ſo uſeful a Champion; for He appeared to be a man of a very corrupt Nature, whoſe Paſſions could have tranſported Him into the moſt unjuſtifiable Actions.

He had a Faculty of making relations of things done in his own Preſence, and diſcourſes made to himſelf, or in his own hearing, with all the circumſtances of anſwers, and replies, and upon Arguments of great Moment; all which upon Examination were ſtill found to have nothing in them, that was Real, but to be the pure effect of his own Invention. After He was Sentenced in the Star-Chamber,

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Chamber, ſome of his Friends reſorted to him, to lament, and condole with him for his misfortune, and ſome of them ſeemed to wonder that in any Affair of ſuch a Nature, He had not found means to have made ſome Submiſſion, and Compoſition, that might have prevented the publick Hearing, which proved ſo much to his Prejudice in point of Reputation, as well as Profit. He anſwered them with all the formality imaginable, "that they had reaſon indeed to wonder at him upon the "Event; but when they ſhould know how he had governed himſelf, He believed "they would ceaſe to think him worthy of blame. And then related to them, "that aſſoon as Publication had Paſſed in his Cauſe, and the Books were taken "out, he had deſired his Council (who were all able men, and ſome of them "very Eminent) in the Vacation time, and they at moſt leiſure, to meet together, "and carefully to look over, and peruſe all the Evidence, that was taken on both "ſides, and that then they would attend him ſuch a morning, which he appointed "upon their conſent, at his own Houſe at *Weſtminſter*: That they came at the "time appointed; and being then ſhut up in a Room together, He asked them "whether they had ſufficiently peruſed all the Books, and were throughly in-"formed of his Caſe? To which they All anſwered, that they had not only read "them all over together, but had ſeverally every man by himſelf peruſed them a-"gain, and they believed they were all well informed of the whole. That He "then told them he had deſired this Conference with them, not only as his "Council, by whoſe opinion he meant to govern himſelf, but as his particular "Friends, who, he was ſure, would give him their beſt Advice, and perſwade him "to do every thing as they would do themſelves, if they were in his Condition. "That he was now offer'd to make his Peace at Court, by ſuch an humble Sub-"miſſion to the King, as he was moſt inclined, and ready to make; and which "he would make the next day after his Cauſe was Heard, tho' he ſhould be de-"clared to be Innocent, of which he could make no doubt: But that which trou-"bled him for the preſent was, that the Infamouſneſs of the Charge againſt him, "which had been often Expoſed and Inlarged upon in ſeveral motions, had been "ſo much taken notice of throughout the Kingdom, that it could not conſiſt with "his Honour to divert the Hearing, which would be imputed to his want of "Confidence in his Innocence, ſince men did not ſuſpect his Courage, if he durſt "rely upon the other; but that he was Reſolved, as he ſaid before, the next day "after he ſhould be Vindicated from thoſe Odious Aſperſions, he would caſt him-"ſelf at the King's feet, with all the humility, and ſubmiſſion, which the moſt "Guilty man could make profeſſion of. It was in this point he deſired their Ad-"vice, to which he would, without adhereing to his own Inclination, entirely con-"form himſelf; and therefore deſired them, Singly in order, to give him their ad-"vice. He repeated the ſeveral, and diſtinct diſcourſe every man had made; in "which he was ſo Punctual, that he applied thoſe Phraſes, and Expreſſions, and "Manner of Speech to the Several men, which they were all taken notice of Fre-"quently to uſe; as many men have ſome Peculiar Words in diſcourſe, which they "are moſt delighted with, or by cuſtom moſt addicted to: and in Concluſion, "that they were Unanimous in their judgments; that he could not, with the "preſervation of his Honour, and the opinion of his Integrity, decline the Publick "Hearing; where he muſt be unqueſtionably declared Innocent; there being no "Crime, or Miſdemeanour proved againſt him in Such a manner, as could make "him liable to Cenſure: they All commended his Reſolution of Submitting to "the King aſſoon as he had made his Innocence to appear; and they All adviſed "him to purſue that Method. This, he ſaid, had Swayed him; and made him "decline the Other Expedient, that had been propoſed to him.

This Relation wrought upon thoſe, to whom it was made, to raiſe a Prejudice in them againſt the Juſtice of the Cauſe, or the Reputation of the Council, as they were moſt inclined, whereas there was not indeed the leaſt ſhadow of Truth in the whole Relation; except that there was ſuch a Meeting, and Conference, as was mentioned, and which had been conſented to by the Biſhop upon the joint deſire, and importunity of all the Council, Who, at that Conference, Unanimouſly adviſed and deſired him "to uſe all the Means and Friends he could, that the "Cauſe might Not be brought to Hearing; but that he ſhould purchaſe his Peace "at any Price; for that if it were Heard, he would be Sentenced very grievouſly; "and that there were many things Proved againſt him, which would ſo much re-"flect upon his Honour, and Reputation, and the more for being a Biſhop, that

" all his Friends would abandon him, and be for ever after Aſhamed to appear " on his behalf. Which Advice with great Paſſion, and Reproaches upon the Several Perſons for their preſumption, and ignorance in matters ſo much above Them, he utterly and Scornfully rejected. Nor indeed was it poſſible, at that time, for him to have made his Peace; for tho', upon ſome former Addreſſes, and Importunity on his behalf by ſome Perſons of Power, and Place in the Court, in which the Queen her ſelf had endeavoured to have done him good Offices, the King was inclined to have ſaved him, being a Biſhop, from the Infamy he muſt undergo by a publick Trial; yet the Biſhops Vanity had, in thoſe conjunctures, ſo far tranſported him, that he had done all he could to have inſinuated, " that the Court was " aſhamed of what they had done; and had prevailed with ſome of his Powerful " Friends to perſwade him to that compoſition: upon which the King would never hear more Any perſon, who Moved on His behalf.

It had been once mentioned to Him, whether by Authority, or no, was not known, " that his Peace ſhould be made, if he would reſign his Biſhoprick, and " Deanery of *Weſtminſter* (for he had that in Commendam) and take a good " Biſhoprick in *Ireland*; which he poſitively refuſed; and ſaid, " he had much to do " to defend himſelf againſt the Arch-Biſhop Here; but if he was in *Ireland*, There " was a Man (meaning the Earl of *Strafford*) who would cut off his Head within " one Month.

This Biſhop had been for ſome years in the Tower, by the Sentence of the *Star-Chamber*, before this Parliament met; when the Lords, who were the moſt Active and Powerful, preſently reſolved to have him at Liberty. Some had much Kindneſs for him; not only as a known Enemy to the Arch-Biſhop of *Canterbury*; but as a Supporter of Thoſe Opinions and Thoſe Perſons, which were againſt the Church it ſelf. And he was no ſooner at Liberty, and brought into the Houſe, but, as has been before mention'd, he defended, and ſeconded the Lord *Say*, when he made an Invective with all the Malice, and bitterneſs imaginable, againſt the Arch-Biſhop then in Priſon; and when he had concluded, that Biſhop ſaid; " that " he had long known that noble Lord, and had always believed him to be as well " affected to the Church as Himſelf; and ſo he continued to make all his Addreſs to that Lord, and Thoſe of the ſame Party. Being now in full Liberty, and in ſome Credit, and Reputation, he applied himſelf to the King; and made all poſſible profeſſions of Duty to his Majeſty, and Zeal to the Church; proteſting " to have a perfect Deteſtation of thoſe Perſons, who appeared to have no Affec- " tion or Duty towards his Majeſty, and of all evil intentions againſt the Re- " ligion Eſtabliſhed; and that the Civility he had expreſſed towards them, was " only out of gratitude for the good will They had ſhewed to Him; and eſpe- " cially that he might the better promote his Majeſty's Service. And it being his Turn ſhortly after, as Dean of *Weſtminſter*, to Preach before the King; he took occaſion to ſpeak of the Factions in Religion; and mentioning the Presbyterian Diſcipline, he ſaid, " it was a Government only fit for Taylors, and Shoe- " makers, and the like; not for Noblemen, and Gentlemen: which gave great Scandal, and Offence to his great Patrons; to whom he eaſily reconciled himſelf, by making them as merry with ſome Sharp Sayings of the Court, and by performing more Subſtantial Offices for them.

When, upon the Trial of the Earl of *Strafford*, it was reſolved to decline the Judgment of the Houſe of Peers, and to proceed by Bill of Attainder; and thereupon it was very unreaſonably Moved, " that the Biſhops might have no Vote in " the paſſing that Act of Parliament; becauſe they pretended it was to have their " hand in Blood, which was againſt an old Canon, This Biſhop without communicating with any of his Brethren, very Frankly declared his opinion, " that " they ought not to be preſent; and offered, not only in his own Name, but for the reſt of the Biſhops, " to withdraw always when That buſineſs was enter'd " upon: and ſo betrayed a Fundamental Right of the whole Order; to the great Prejudice of the King, and to the taking away the life of that Perſon, who could not otherwiſe have Suffer'd.

And ſhortly after, when the King declared, that he neither would, nor could in Conſcience, give his Royal Aſſent to that Act of Attainder; when the Tumults came about the Court with noiſe and clamour for Juſtice; the Lord *Say* deſired the King to confer with his Biſhops for the Satisfaction of his Conſcience? and deſired him to ſpeak with That Biſhop in the point. After much diſcourſe together,

together, and the King insisting upon many particulars, which might induce others to consent; but were known to Himself to be False; and therefore he could never in conscience give his own consent to them; The Bishop, as hath been mentioned before, amongst other Arguments, told him; "that he must consider, that as he "had a Private Capacity, and a Publick, so he had a Publick Conscience, as "well as a Private; that though his Private Conscience, as a Man, would not "Permit him to do an Act contrary to his own Understanding, Judgment and "Conscience; yet his Publick Conscience, as a King, which obliged him to do "all things for the Good of his People, and to preserve his Kingdom in Peace "for Himself and his Posterity, would not only Permit him to do That, but even "Oblige, and Require him. That he saw in what Commotion the People were, "that his own Life, and that of the Queens, and the Royal issue might probably "be Sacrificed to that Fury; and it would be very strange, if his Conscience should "prefer the life of one Single Private Person how Innocent soever, before all those "other Lives, and the preservation of the Kingdom.

This was the argumentation of that unhapy Casuist; who truely, it may be, did believe it himself; for towards the end of the War, and when the King's power declined; he, being then an Arch-Bishop, did in Person assist the Rebels to take a Castle of the King's; in which there was a Garrison, and which was taken by a longe Siege; because he might thereby the better enjoy the Profits of his own Estate, which lay thereabouts.

Upon all these great Services He had performed for the Party, he grew every day more Imperious; and after the King thought it necessary to make him Arch-Bishop of *York*, which, as the time then was, could not qualify him to do more harm, and might possibly dispose, and oblige him to do some good; he carried himself so Insolently, in the House and out of the House, to all persons, that he became much more Odious universally, than ever the other Arch-bishop had been; having sure more Enemys than He, and few or no Friends, of which the Other had abundance. And the great hatred of this Man's Person and Behaviour, was the greatest invitation to the House of Commons so irregularly to Revive that Bill to remove the Bishops; and was their chief incouragement to hope, that the Lords, who had rejected the Former, would now Pass, and consent to this Second Bill.

This was one of the Bishops, who was most rudely treated by the Rabble; who gathered themselves together about the House of Peers, crying out *No Bishops, No Bishops*: and his Person was assaulted, and Robes torn from his back; upon which, in very just displeasure, he returned to his house, the Deanery at *Westminster*; and sent for all the Bishops, who were then in the Town (it being within very few days of *Christmass*) of which there were Twelve or Thirteen; and, in much Passion, and with his Natural Indignation, he propoled as absolutely necessary; "that they might Unanimously, and Presently prepare a Protestation, to send to "the House, against the Force, that was used upon them; and against all the Acts "which were, or should be done during the time, that They should by Force be "kept from doing their Dutys in the House. And Immediately, having Pen and Ink ready, Himself prepared a Protestation; which being read to them, they all approved; depending upon His great experience in the Rules of the House, where he had sate so many years, and in some Parliaments in the place of Speaker, whilst he was Keeper of the Great Seal; and so presuming, that He could commit no errour in Matter or Form: and without further communication, and advice, which both the Importance of the Subject, and the Distemper of the time did require; and that it might have been considered as well what was Fit, as what was Right; without further delay, than what was necessary for the fair Writing, and Ingrossing the Instrument, they had prepared; they all set their hands to it. Then the Arch-Bishop went to *White-Hall* to the King, and presented the Protestation to Him; it being directed to his Majesty with an Humble Desire, that He would send it to the House of Peers, since They could not present it Themselves; and that he would command, that it should be Enter'd in the Journal of the House. His Majesty casting his eye perfunctorily upon it, and believing it had been drawn by Mature Advice, no sooner received it, than he delivered it to the Lord Keeper, who unfortunately happened to be likewise present, with his command that he should deliver it to the House as soon as it met; which was to be within two hours after. The Petition contained these words,

To

To the King's moſt excellent Majeſty; and the Lords, and Peers now aſſembled in Parliament.

The Petition and Proteſtation of the Biſhops to the King and Houſe of Lords.

" The humble Petition, and Proteſtation of all the Biſhops, and Prelates now " called by his Majeſties Writs to attend the Parliament, and preſent about " *London* and *Weſtmiſter* for that Service.

" That, whereas the Petitioners are called up by Several and Reſpective Writs, and " under great Penalties to attend in Parliament; and have a clear and indubita- " ble Right to Vote in Bills, and other matters whatſoever Debatable in Par- " liament, by the ancient Cuſtoms, Laws, and Statutes of this Realm; and ought " to be Protected by your Majeſty, quietly to attend, and proſecute that great " Service:

" They humbly Remonſtrate, and Proteſt before God, Your Majeſty, and the " Noble Lords, and Peers now aſſembled in Parliament; that as They have an " indubitable Right to Sit, and Vote in the Houſe of Lords, ſo are they (if " they may be protected from Force and Violence) moſt ready, and willing to " perform their Duties accordingly; and that they do Abominate all Actions " or Opinions tending to Popery, and the maintenance thereof; as alſo all Pro- " penſion, and Inclination to any Malignant Party, or any other Side, or Party " whatſoever, to the which Their own Reaſons, and Conſciences ſhall not " move them to Adhere.

" But whereas They have been at ſeveral times, violently Menaced, Affronted, " and Aſſaulted by Multitudes of People in their coming to perform their Ser- " vices in that Honourable Houſe; and lately Chaſed away, and put in danger " of their Lives, and can find no Redreſs, or Protection upon ſundry Com- " plaints made to both Houſes in Theſe Particulars.

" They likewiſe humbly Proteſt before your Majeſty, and the Noble Houſe " of Peers; that, ſaving to themſelves all their Rights, and Intereſts of Sit- " ting, and Voting in That Houſe at other times; They dare not Sit or Vote in " the Houſe of Peers, until your Majeſty ſhall further ſecure them from All " Affronts, Indignities, and Dangers in the premiſes.

" Laſtly, whereas their fears are not built upon Fantaſies, and Conceits, but upon " ſuch Grounds, and Objects, as may well terrify Men of good Reſolutions, " and much Conſtancy; They do in all Duty and Humility Proteſt, before your " Majeſty, and the Peers of That moſt Honourable Houſe of Parliament, a- " gainſt all Laws, Orders, Votes, Reſolutions and Determinations, as in them- " ſelves Null and of none Effect; which in Their Abſence, ſince the ſeven and " twentieth of this Inſtant Month of *December* 1641, have already Paſſed; as " likewiſe againſt all Such, as ſhall hereafter Paſs in That moſt Honourable " Houſe, during the time of this Their Forced and Violent Abſence from the ſaid " moſt Honourable Houſe; not denying but if Their Abſenting Themſelves were " Wilful and Voluntary, That moſt Honourable Houſe might proceed in all " Theſe Premiſes, Their Abſence, or this Their Proteſtation notwithſtanding.

" And humbly beſeeching your moſt excellent Majeſty to Command the Clerk of " the Houſe of Peers to Enter this Their Petition, and Proteſtation amongſt " the Records.

" They will ever Pray, *&c.*

Signed

Jo. Eborac.	*Jo. Norwich.*	*Geo. Hereford.*	*Godfr, Glouc,*
Tho. Dureſme.	*Jo. Aſaphen.*	*Rob. Oxon.*	*Jo. Peterburgh.*
Rob. Cov. and *L.*	*Guil. Ba.* and *Wells.*	*Ma. Ely.*	*Mor. Llandaff.*

It was great pity, that, tho' the Arch-Biſhop's Paſſion tranſported him, as it uſually did; and his Authority impoſed upon the reſt, who had no affection to his Perſon, or reverence for his Wiſdom; his Majeſty did not take a little time to conſider of it, before he put it out of his Power to alter it, by putting it out of his hands. For it might eaſily have been diſcerned by Thoſe, who were well acquainted with the Humour, as well as the Temper of both Houſes, that ſome advantage, and Ill

Uſe

Uſe would have been made of ſome Expreſſions contained in it; and that it could produce no good Effect. But the ſame Motive and Apprehenſion, that had precipitated the Biſhops to ſo haſty a Reſolution (which was, that the Houſe of Peers would have made that uſe of the Biſhops being kept from the Houſe, that they would in that time have paſſed the Bill it ſelf for taking away their Votes) had its effects likewiſe with the King; who had the ſame imagination, and therefore would loſe no time in the tranſmiſſion of it to the Houſe. Whereas it is more probable the Lords would never have made uſe of that very Seaſon, whilſt the Tumults ſtill continued, for the Paſſing an Act of that importance; and the Scandal, if not Invalidity of it, would have been an Unanſwerable ground for the King to have refuſed his Royal Aſſent to it,

Aſſoon as this Proteſtation, which, no doubt, in the time before the Houſe was to meet, had been communicated to Thoſe, who were prepared to ſpeak upon it, was Delivered by the Lord Keeper with his Majeſty's Command, and Read, the Governing Lords manifeſted a great Satisfaction in it, Some of them ſaying, "that "there was *Digitus Dei* to bring That to paſs, which they could not otherwiſe have "compaſſed; and without ever Declaring any Judgment or Opinion of their own upon it, which they ought to have done, the matter only having relation to themſelves, and concerning their own Members; they ſent to deſire a Conference preſently with the Houſe of Commons, upon a buſineſs of Importance; and, at the Conference, only Read, and Delivered the Proteſtation of the Biſhops to them; which, the Lord Keeper told them, he had received from the King's own Hand, with a Command to preſent it to the Houſe of Peers. The Houſe of Commons took very little time to conſider of the matter; but, within half an hour, they ſent up to the Lords; and, without further Examination, accuſed them all, who had Subſcribed the Proteſtation, of High-Treaſon; and, by this means, they were all, the whole Twelve of them, committed to Priſon; and remained in the Tower till the Bill for the putting them out of the Houſe was Paſſed, which was not till many Months after.

The Proteſtation is Delivered by the Lords to the Houſe of Commons in a Conference.

The Commons accuſe the Biſhops that ſubſcribed it of High-Treaſon, and they are committed to the Tower.

When the Paſſion, Rage, and Fury of this time ſhall be forgotten, and Poſterity ſhall find, amongſt the Records of the Supream Court of Judicature, ſo many Orders, and Reſolutions in vindication of the Liberty of the Subject againſt the Impriſoning of any man, tho' by the King Himſelf, without aſſigning Such a Crime as the Law hath determined to be worthy of Impriſonment; and in the ſame Year, by this high Court, ſhall find twelve Biſhops, Members of this Court, committed to Priſon for High-Treaſon, for the Preſenting This Proteſtation; Men will ſurely wonder at the Spirit of that Reformation: and even that Clauſe of Declaring all Acts Null, which had been, or ſhould be done in their Abſence, in defence of which no man Then durſt open his Mouth, will be thought good Law, and good Logick; not that the Preſence of the Biſhops in that time was ſo Eſſential, that no Act ſhould Paſs without Them; which had given them a Voice, upon the matter, as Negative as the Kings; and Themſelves, in their Inſtrument, Diſclaimed the leaſt Pretence to ſuch a Qualification; but becauſe a Violence, offer'd to the Freedom of any one Member, is a Violation to all the Reſt: as if a Council conſiſt of Threeſcore, and the door to that Council be kept by Armed men, and all Such, whoſe Opinions are not liked, kept out by force; no doubt the Freedom of Thoſe Within is infringed, and all their Acts as Void and Null, as if they were Locked in, and kept without meat till they alter'd their Judgments.

And therefore you ſhall find in the Journals of the moſt Sober Parliaments, that, upon any eminent Breach of Their Priviledges, as always upon the Commitment of any Member for any thing Said or Done in the Houſe, ſometimes upon leſs occaſions, that Houſe, which apprehended the Treſpaſs, would ſit mute, without Debating, or Handling any buſineſs, and then Adjourn; and this hath been practiſed many days together, till they had Redreſs or Reparation. And their Reaſon was, becauſe their Body was Lame; and what was befallen One Member, threaten'd the Reſt; and the conſequence of one Act might extend it ſelf to many other, which were not in view; and this made their Priviledges of ſo tender, and nice a temper, that they were not to be Touched, or in the leaſt degree Trenched upon; and therefore that in ſo apparent an Act of Violence, where it is not more clear that they were committed to Priſon, than that they durſt not then Sit in the Houſe, and when it was Lawful in the Houſe of Peers for every diſſenter in the moſt Trivial debate, to enter his Proteſtation againſt that ſenſe he liked not, tho' he were

Single in his opinion; That it ſhould Not be Lawful for Thoſe, who could not Enter it Themſelves, to preſent this Proteſtation to the King, to whom they were accountable under a Penalty for their Abſence; and unlawful to that degree, that it ſhould render them culpable of High-Treaſon; and ſo forfeit their Honour, their Lives, their Fortunes, expoſe their Names to perpetual Infamy, and their Wives and Children to Penury, and want of bread; will be looked upon as a Determination of that Injuſtice, Impiety, and Horrour, as could not be believed without thoſe deep marks, and prints of Confuſion that followed and attended that Reſolution.

And yet the Indiſcretion of thoſe Biſhops, ſwayed by the Pride, and Paſſion of that Arch-Biſhop, in applying that Remedy at that time, when they ſaw all Forms and Rules of Judgment impetuouſly declined; and the power of their Adverſaries ſo great, that the Laws themſelves ſubmitted to their Oppreſſion; that they ſhould, in ſuch a Storm, when the beſt Pilot was at his prayers, and the Card, and Compaſs loſt, without the advice of one Mariner, put themſelves in ſuch a Cock-boat, and to be ſevered from the good Ship, gave that Scandal and Offence to all thoſe, who paſſionately deſired to preſerve their Function, that they had no compaſſion, or regard of their Perſons, or what became of them; inſomuch as in the whole Debate in the Houſe of Commons, there was only one Gentleman who ſpoke on their behalfs, and ſaid, "he did not believe they were guilty of High-Treaſon, but that "they were Stark Mad; and therefore deſired they might be ſent to *Bedlam*.

This high, and extravagant way of proceeding brought no Prejudice to the King; and tho' it made their Tribunal more terrible to men, who laboured under any Guilt; yet it exceedingly leſſened the Reverence and Veneration, that formerly had been entertained for Parliaments: and this laſt Accuſation, and Commitment of ſo many Biſhops at Once, was looked upon by all Sober men with Indignation. For whatever Indiſcretion might be in the thing it ſelf, tho' ſome Expreſſions in the matter might be Unskilful and Unwarrantable, and the Form of preſenting and tranſmitting it, Irregular and Unjuſtifiable (for all which the Houſe of Peers might puniſh their own Members, according to their diſcretion) yet every man knew there could be no Treaſon in it; and therefore the end of their Commitment, and the uſe all men ſaw would be made of it, made it the more Odious; and the Members, who were abſent from both Houſes, which were Three parts of Four, and many of thoſe who had been preſent, Abhorred the Proceedings, and attended the Houſes more diligently; ſo that the Angry Party, who were no more treated with, to abate their Fury, would have been compelled to have given over all their Deſigns for the Alteration of the Government both in Church, and State; if the Volatile, and Unquiet Spirit of the Lord *Digby* had not prevailed with the King, contrary to his Reſolution, to have given Them ſome New Advantage; and to depart from his purpoſe of doing nothing, without very mature Deliberation.

Tho Sr. *William Balfour*, who is already mentioned, had, from the beginning of this Parliament forgot all his Obligations to the King; and had made himſelf very Gracious to thoſe people, whoſe glory it was to be thought Enemies to the Court; and, whilſt the Earl of *Strafford* was his Priſoner, did many Offices not becoming the Truſt he had from the King, and contributed much to the Jealouſy, which that Party had of his Majeſty; upon which there had been a long reſolution to remove him from that Charge; but to do it with his own Conſent, that there might be no manifeſtation of Diſpleaſure; yet it was a very unſeaſonable Conjuncture, which was taken to execute it in; and this whole Tranſaction was ſo ſecretly carried, that there was neither notice nor ſuſpicion of it, till it was heard, that Sr. *Thomas Lunsford* was Sworn Lieutenant of the Tower; a Man, who, tho' of an ancient Family in *Suſſex*, was of a very ſmall, and decayed Fortune, and of no good Education; having been few years before, compelled to fly the Kingdom, to avoid the hand of Juſtice for ſome riotous Miſdemeanour; by reaſon whereof, he ſpent ſome time in the ſervice of the King of *France*, where he got the reputation of a Man of Courage, and a good Officer of Foot; and in the beginning of the Troubles here had ſome Command in the King's Army; but ſo much inferiour to many others, and was ſo little known, except upon the diſadvantage of an Ill Character, that in the moſt Dutiful time, the Promotion would have appeared very ingrateful. He was utterly a Stranger to the King, and therefore it was quickly underſtood to proceed from the Single election of the Lord *Digby*, to whom he was likewiſe very little known; who had intruth deſigned that Office to his Brother Sr. *Lewis Dives*, againſt whom there could have been no exception, but his Relation: but He being not at that time in Town, and

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the other having ſome ſecret Reaſon to fill that place in the Inſtant, with a man who might be truſted; he ſuddainly reſolved upon this Gentleman, as one, who would be Faithful to him for the obligation, and execute any thing he ſhould deſire, or direct; which was a reaſon he might eaſily have foreſeen would provoke more powerful Oppoſition; which errour, as is ſaid before, was repaired by the ſuddain change, and putting in Sr. *John Byron*; tho' it gave little ſatisfaction, and the leſs, by reaſon of another more inconvenient Action which changed the whole Face of Affairs, and cauſed this to be more reflected upon.

The Attourney Gen. Herbert *accuſes in the Houſe of Lords the Lord* Kimbolton, *and five Members of the Houſe of Commons of High-Treaſon.*

In the Afternoon of a day when the two Houſes ſate, *Herbert* the King's Attourney informed the Houſe of Peers, that he had ſomewhat to ſay to them from the King; and thereupon, having a Paper in his hand, he ſaid, that the King commanded him to accuſe the Lord *Kimbolton*, a Member of that Houſe, and five Gentlemen, who were all Members of the Houſe of Commons, of High-Treaſon; and that his Majeſty had himſelf delivered him in Writing ſeveral Articles, upon which he accuſed them; and he read in a Paper theſe enſuing Articles, by which the Lord *Kimbolton*, *Denzil Hollis*, Sr. *Arthur Haſlerigg*, Mr. *Pym*, Mr. *Hambden*, and Mr. *Strode* ſtood Accuſed of High-Treaſon, for Conſpiring againſt the King, and the Parliament.

The Articles againſt them.

Articles of High-Treaſon and other Miſdemeanours, againſt the Lord Kimbolton, *Mr.* Pym, John Hambden, Denzil Hollis, *Sr.* Arthur Haſlerigg, *and* William Strode *Members of the Houſe of Commons.*

1. "That They had Traiterouſly endeavoured to Subvert the Fundamental Laws "and Government of this Kingdom, and Deprive the King of his Regal Power; "and to place on his Subjects an Arbitrary, and Tyrannical power.

2. "That They have endeavoured, by many foul Aſperſions upon his Majeſty, "and his Government, to alienate the Affections of his People, and to make his "Majeſty Odious to Them.

3. "That They have endeavoured to draw his Majeſty's late Army to diſobe-"dience to his Majeſty's Command, and to Side with Them in their Traiterous "deſign.

4. "That They have Traiterouſly invited, and incouraged a Forreign Power to "invade his Majeſty's Kingdom of *England*.

5. "That They have Traiterouſly endeavoured to Subvert the very Rights, and "Beings of Parliament.

6. "That, for the compleating of their Traiterous deſigns, They have endeavou-"red, as far as in Them lay, by Force, and Terrour to compel the Parliament to "joyn with Them in their Traiterous deſigns, and, to that end, have Actually "raiſed, and countenanced Tumults againſt the King, and Parliament.

"7. "That They have Traiterouſly conſpired to Levy, and actually have Levi-"ed War againſt the King.

The Houſe of Peers was ſomewhat appalled at this Alarum; but took time to conſider of it, till the next day, that they might ſee how their Maſters the Commons would behave themſelves; the Lord *Kimbolton* being preſent in the Houſe, and making great profeſſions of his Innocence, and no Lord being ſo hardy to preſs for his Commitment on the behalf of the King.

A Serjeant at Arms demands the five Members in the Houſe of Commons.

At the ſame time, a Serjeant at Arms demanded to be heard at the Houſe of Commons from the King; and being ſent for to the Bar, demanded the Perſons of five of their Members to be delivered to him in his Majeſty's Name, his Majeſty having accuſed them of High-Treaſon. But the Commons were not much ſurprized with the Accident; for beſides that they quickly knew what had paſſed with the Lords, ſome Servants of the Kings, by eſpecial Warrant, had viſited the Lodgings of ſome of the accuſed Members, and Sealed up their Studies and Trunks; upon information whereof, before that Serjeant came to the Houſe, or Publick notice was taken of the accuſation, an Order was made by the Commons; "that if any perſon what-"ſoever ſhould come to the Lodgings of any Member of that Houſe, and there "offer to Seal the Doors, Trunks, or Papers of ſuch Members, or to Seize upon "their Perſons; that then ſuch Member ſhould require the aid of the next Conſta-"ble, to keep ſuch perſons in ſafe Cuſtody, till the Houſe ſhould give further Order: "that if any perſon whatſoever ſhould offer to Arreſt or Detain any Member of "that Houſe, without firſt acquainting that Houſe therewith, and receiving further

Order

" Otder from thence; it ſhould be lawful for ſuch Member to ſtand upon his Guard, " and make Reſiſtance, and for any perſon to aſſiſt him, according to the Proteſta- " tion taken to defend the Priviledges of Parliament. And ſo, when the Serjeant had delivered his Meſſage he was no more called in; but a Meſſage ſent to the King, " that the Members ſhould be forth coming aſſoon as a Legal Charge ſhould be " preferred againſt them; and ſo the Houſe Adjourned till the next day, every one of the accuſed perſons taking a Copy of that Order, which was made for their Security.

The King goes to the Houſe of Commons to demand them.

The next day in the Afternoon, the King, attended only by his own uſual Guard, and ſome few Gentlemen, who put themſelves into their company in the way, came to the Houſe of Commons, and commanding all his Attendants to wait at the Door, and give offence to no man; Himſelf, with his Nephew, the Prince Elector, went into the Houſe, to the great amazement of all; and the Speaker leaving the Chair, the King went into it, and told the Houſe, " he was ſorry for that occaſion of coming " to them; that yeſterday he had ſent his Serjeant at Arms to Apprehend ſome, " that, by his command, were accuſed of High-Treaſon; whereunto he expected " Obedience, but inſtead thereof he had received a Meſſage. He declared to them, " that no King of *England* had been ever, or ſhould be more careful to maintain " their Priviledges, than He would be; but that in Caſes of Treaſon No man " had priviledge: and therefore he came to ſee if any of thoſe perſons, whom he " had accuſed, were There; for he was reſolved to have them, whereſoever He " ſhould find them: and looking then about, and asking the Speaker " whether " they were in the Houſe, and he making no anſwer, he ſaid, " he perceived the " *Birds were all Flown*, but expected they ſhould be ſent to him, aſſoon as they re- " turned thither; and aſſured them in the Word of a King, that he never intended " any Force, but would proceed againſt them in a Fair, and Legal way; and ſo returned to *White-Hall*.

The accuſed peſons, upon Information and Intelligence what his Majeſty intended to do, how ſecretly ſoever it was carried at Court, having withdrawn from the Houſe about half an hour before the King came thither; the Houſe in great diſorder, aſſoon as the King was gone, Adjourned till the next day in the Afternoon; the Lords being in ſo great apprehenſion upon notice of the King's being at the Houſe of Commons, that the Earl of *Eſſex* expreſſed a tender ſenſe he had of the Inconveniences, which were like to enſue thoſe Diviſions; and moved, " that the Houſe " of Peers, as a work very proper for them, would interpoſe between the King " and his People; and Mediate to his Majeſty on the behalf of the perſons accuſed; for which he was reprehended by his Friends, and afterwards Laughed at himſelf, when he found how much a ſtronger Defence they had, than the beſt Mediation could prove on Their behalf.

How ſecretly ſoever this Affair was carried, it was evident that the King's reſolution of coming to the Houſe, had been diſcovered, by the Members withdrawing themſelves, and by a Compoſedneſs, which appeared in the countenance of many, who uſed to be diſturbed at leſs Surprizing Occurrences; and tho, the purpoſe of accuſing the Members was only conſulted between the King, and the Lord *Digby*; yet it was generally believed, that the King's purpoſe of going to the Houſe, was communicated to *William Murry* of the Bed-Chamber, with whom the Lord *Digby* had great Friendſhip; and that it was diſcovered by Him. And that Lord, who had promiſed the King to move the Houſe for the Commitment of the Lord *Kimbolton*, aſſoon as the Attourney General ſhould have accuſed him (which if he had done would probably have raiſed a very hot Diſpute in the Houſe, where many would have join'd with him) never ſpoke the leaſt word; but, on the contrary, ſeemed the moſt ſurprized, and perplexed with the Attourney's Impeachment; and ſitting at that time next the Lord *Kimbolton*, with whom he pretended to live with much Friendſhip, he whiſpered him in the ear with ſome commotion (as he had a rare talent in Diſſimulation) " that the King was very Miſchievouſly adviſed; and that it " ſhould go very hard, but he would know, whence that Counſel proceeded; in order " to which, and to prevent further Miſchief he would go immediately to his Ma- " jeſty; and ſo he went out of the Houſe.

Whereas he was the Only Perſon, who gave the Counſel, Named the Perſons, and particularly the Lord *Kimbolton* (againſt whom leſs could be ſaid, than againſt many others, and who was more generally beloved) and undertook to prove that the ſaid Lord *Kimbolton* told the

Rabble

Rabble, when they were about the Parliament Houſe, that they ſhould go; to *White-Hall*. When he found the ill ſucceſs of the Impeachment in both Houſes, and how unſatisfied all were with the proceeding; he adviſed the King the next Morning to go to the *Guild-Hall*, and to inform the Mayor and Aldermen of the Grounds of his Proceedings; which will be mentioned anon. And that people might not believe, that there was any dejection of mind, or ſorrow for what was done; the ſame Night, the ſame Council cauſed a Proclamation to be prepared for the ſtopping the Ports; that the accuſed perſons might not eſcape out of the Kingdom; & to forbid all perſons to receive, and harbour them; when it was well known, that they were all together in a Houſe in the City, without any fear of their Security. And all this was done without the leaſt communication with any body, but the Lord *Digby*, who adviſed it; and it is very true, was ſo willing to take the utmoſt hazard upon himſelf; that he did offer the King, when he knew in what Houſe they were together, with a ſelect company of Gentlemen, who would accompany him, whereof Sir *Thomas Lunsford* was one, to Seize upon them, and bring them away Alive, or leave them Dead in the place; but the King liked not ſuch Enterprizes.

The Perſons accuſed remove into the City.

That night, the perſons accuſed removed themſelves into their Strong hold, the City: not that they durſt not venture themſelves at their old Lodgings, for no man would have preſumed to trouble them, but that the City might ſee, that they relied upon that Place for a ſanctuary of their Priviledges againſt Violence and Oppreſſion; and ſo might put on an early Concernment for them. And they were not diſappointed; for in ſpight of all the Lord Mayor could do to compoſe their diſtempers (who like a very wiſe, and ſtout Magiſtrate beſtirred himſelf) the City was that whole night in Armes; ſome people, deſigned to that purpoſe, running from one Gate to another, and crying out, "that the *Cavaliers* were coming to fire the City; and ſome ſaying, " that the King himſelf was in the head of them.

The King goes into the City and ſpeaks to the Citizens.

The next morning, the King being informed of much that had paſſed that night, according to the advice he had received, ſent to the Lord Mayor to call a Common Council immediately; and, about ten of the clock, himſelf, attended only by three or four Lords, went to the *Guild-Hall*; and in the Room, where the People were aſſembled, told them, "he was very " ſorry to hear of the Apprehenſions, they had entertained of Danger; that he " was come to them, to ſhew how much he relied upon their Affections for " his Security, and Guard, having brought no other with him: that he had " accuſed certain men of High-Treaſon, againſt whom he would proceed in a " Legal way; and therefore he preſumed they would not ſhelter them in the " City. And uſing many other very Gracious expreſſions of his value of them, and telling one of the Sheriffs (who was of the Two thought leſs inclined to his Service) "that he would Dine with him, he departed without that Applauſe and Chearfulneſs, which he might have expected from the extraordinary Grace, he vouchſafed to them. And in his paſſage through the City, the Rude people flocked together, and cryed out, *Priviledge of Parliament, Priviledge of Parliament*; ſome of them preſſing very near his own Coach, and amongſt the reſt once calling out with a very loud Voice, *To your Tents O Iſrael.* However the King, tho' much Mortified, continued his Reſolution, taking little notice of the Diſtempers; and, having Dined at the Sheriffs, returned in the Afternoon to *White-Hall*; and publiſhed, the next day, a Proclamation, for the Apprehenſion of all thoſe, whom he had accuſed of High-Treaſon, forbidding any perſon to Harbour them; the Articles of their Charge being likewiſe printed, and diſperſed.

When the Houſe of Commons next met, none of the Accuſed Members appearing, They had Friends enough, who were well inſtructed to aggravate the late Proceedings, and to put the Houſe into a thouſand Jealouſies, and Apprehenſions; and every ſlight Circumſtance carried weight enough in it to diſturb their minds. They took very little notice of the Accuſing the Members; but the King's Coming to the Houſe, which had been Never known before, and Declaring, "that he would take Them, Wherever he found Them, " was an Evidence, "that he meant Himſelf to have brought a Force into the " Houſe to Apprehend them, if they had been there; and was looked upon " as the higheſt Breach of Priviledge, that could poſſibly be imagined. They

who ſpoke moſt Paſſionately, and probably meant as Maliciouſly, behaved themſelves with Modeſty, and ſeemed only concerned in what concerned them All; and concluded, after many Lamentations, "that they did not think "themſelves Safe in that Houſe, till the minds of men were better Com-"poſed; that the City was full of Apprehenſions, and was very Zealous "for their Security; and therefore wiſhed, that they might Adjourn the "Parliament to meet in ſome place in the City. But that was found not Practicable; ſince it was not in their own power to do it without the Conſent of the Peers, and the Concurrence of the King; who were Both like rather to chooſe a place more diſtant from the City. So, with more Reaſon, in the end they concluded, "that the Houſe ſhould Adjourn it "ſelf for two or three days, and name a Committee, who ſhould ſit both "Morning and Afternoon in the City; and All who came to have Voices: and *Merchant-Taylors-Hall* was appointed for the place of their meeting; They who Served for *London* undertaking, "that it ſhould be ready againſt the next Morning: no man oppoſing or contradicting any thing that was ſaid; They, who formerly uſed to appear for all the Rights and Authority, which belonged to the King, not knowing what to ſay, between Grief and Anger, that the Violent Party had by theſe late Unskilful actions of the Court, gotten great Advantage, and recovered new Spirits: and the Three Perſons before named, without whoſe Privity the King had Promiſed, that he would enter upon no Counſel, were ſo much diſpleaſed and dejected, that they were inclined, never more to take upon them the Care of any thing to be tranſacted in the Houſe; finding allready, that they could not avoid being looked upon as the Authors of thoſe Counſels, to which they were ſo abſolute Strangers, and which they ſo perfectly Deteſted.

The Houſe of Commons adjourning themſelves for ſome days, name a Committee to ſit in the City.

And in truth, They had then withdrawn themſelves from appearing often in the Houſe, but upon the abſtracted conſideration of their Duty and Conſcience, and of the preſent Ill Condition the King was in; who likewiſe felt within himſelf the Trouble and Agony, which uſually attends Generous and Magnanimous Minds upon their having committed Errors, which expoſe them to Cenſure, and to Damage. In fine, the Houſe of Commons Adjourned for ſome days, to conſult with their Friends in the City; and the Houſe of Lords held ſo good Correſpondence with them, that they likewiſe Adjourned to the Same days they knew, by ſome Intelligence, the Commons intended to meet again. But the Lords made no Committee to ſit in the City.

The Lords likewiſe Adjourning for the ſame days.

When the Committee met the next Morning at *Merchant-Taylors-Hall*, where All who came were to have Voices; and whither all Did come at firſt, out of Curioſity to obſerve what Method they meant to proceed in, rather than Expectation, that they ſhould be able to do any Good there; they found a Guard ready to attend them, of ſubſtantial Citizens in Arms, and a Committee from the Common Council, to bid them Welcome into the City; and to Aſſure them, "that the City would take care, that They, and all their "Members ſhould be Secured from Violence; and to that purpoſe had ap-"pointed That Guard to attend them, which ſhould be allways Relieved twice "a day, if they reſolved to ſit Morning and Afternoon: and acquainted them further, "that the Common Council, in contemplation that they might ſtand "in want of any thing, had likewiſe appointed a Committee of ſo many Al-"dermen, and ſuch a number of the Common Council, which ſhould meet all-"ways at a place named, at thoſe hours, which that Committee ſhould appoint "to meet at; to the end, that if any thing were to be required of the City, "they might ſtill know their Pleaſure, and take care that it ſhould be Obeyed. Thus they had provided for ſuch a mutual Communication and Confederacy, that they might be ſure allways to be of one mind, and the One to help the Other in the proſecution of thoſe Deſigns and Expedients, which they ſhould find neceſſary to their Common end: the Committee of the City conſiſting of the moſt eminent perſons, Aldermen and others, for their Diſaffection to the Government of Church and State.

The Tranſactions of the Committee in the City.

At their firſt ſitting, the Committee begun with the ſtating the Manner of the King's coming to the Houſe, and all he Did there; the ſeveral Members mentioning all that they would take upon them to remember of his Majeſty's

Doing

Doing or Speaking, both as he came to the Houſe, and after he was there; ſome of them being walking in *Weſtminſter-Hall*, when the King walked through, and ſo came to the Houſe with him, or near him; others reporting, what they heard ſome of the Great men who attended his Majeſty, ſay, as they paſſed by; every idle word having its Commentary; and the perſons, whoever were named, being appointed to attend, they having power given them to ſend for all perſons, and to Examine them touching that Affair. Nor had any man the Courage to refuſe to Obey their Summons; ſo that all thoſe of the King's Servants, who were ſent for, appeared punctually at the hour that was aſſigned them; and were Examined upon all Queſtions, which any one of the Committee would propoſe to them, whereof many were very Impertinent, and of little Reſpect to the King.

It was very well known where the Accuſed Perſons were, alltogether in one Houſe in *Coleman Street*, near the place where the Committee ſate; and whither perſons truſted paſſed to and fro to communicate, and receive Directions; but it was not Seaſonable for them Yet to appear in Publick, and to come, and ſit with the Committee, or to own the believing, that they thought themſelves ſafe from the Violence, and Aſſaults of the Court; the Power whereof they exceedingly Contemned, whilſt they ſeemed to Apprehend it; nor was it yet time to Model in what manner their Friends in the City, and the Country, ſhould appear concerned for them, in preparing whereof no time was loſt.

Againſt the day the Houſe was to meet, the firſt Adjournment not being for above two or three days, the Committee had prepared Matter enough for a Report; a Relation of all they had diſcovered upon their Examinations, and ſuch Votes, as they thought fit to offer upon the breach of their Priviledge; that they might thereby diſcover the Affections of the Houſe, of which they could not yet take any meaſure, ſeeing there had been no Debate ſince thoſe Accidents, which could diſcover the General Temper; which, they well enough knew, was not before to their Advantage. In the mean time, they uſed all the ways they could to Aſperſe thoſe, who uſed to Oppoſe them, as the Contrivers of the late Proceedings; and were willing they ſhould know it; which they imagined, would reſtrain them from taking the ſame Liberty, they had uſed to do.

Votes of the Houſe of Commons upon their firſt meeting again.

And ſo at Their meeting in the Houſe, upon the Report of the Committee, they, declared, " that the King's Coming to the Houſe, and Demanding the " Perſons of divers Members thereof to be delivered unto him, was a high " Breach of the Rights and Priviledges of Parliament; and Inconſiſtent with " the Liberty and Freedom thereof; and therefore, that they could not with " the Safety of their own Perſons, or the Indemnity of the Rights and Privi- " ledges of Parliament, Sit there any longer, without a full Vindication of " ſo high a Breach, and a ſufficient Guard, wherein they might Confide; " and for that reaſon, did order, that their Houſe ſhould be again Adjourned " for four days; and that the Committee meet in the ſame place, to Conſider and " Reſolve of all things, that might concern the Good and Safety of the City, " and the Kingdom; and particularly, How their Priviledges might be Vin- " dicated, and their Perſons Secured; and ſhould have power to Conſult and Ad- " viſe with any perſon, or perſons touching the Premiſes. And, this Or- " der and Declaration being made, they Adjourned: the laſt Clauſe being in- " tended to bring their Members to them.

At the Meeting of the Houſe, the Committtee had informed them, Firſt of the great Civilities, they had received from the City in all the particulars, that they might have Order to return the thanks of the Whole Houſe, which they eaſily obtained; and, at their return, they took more Examinations than they had formerly; by which they made a fuller Relation of the King's Coming to the Houſe, and his Carriage and Words there. And becauſe it was Viſible to all men, that the King was ſo far from bringing any Force with him, which they deſired it ſhould be believed he had brought that he had only his Guard of Halberdiers, and fewer of Them, than uſe, to go with him, on any ordinary Motion; and that fewer of his Gentlemen Servants were Then with him, than uſually attended him, when he went but to walk in the Park; and had only their Little Swords; they were very Punctual in mentioning any Light or looſe words, which had fallen from any man, that

it might be believed, that there was more in the Matter. As they carefully inſerted in their Relation, that one of the Waiters, as he walked very near his Majeſty through the Hall, ſaid, "he had a good Piſtol in his Pock-"et; and that another, as they were walking up the Stairs towards the Houſe of Commons, called out, *Fall on*; from which they would have it believed, that there had been very Bloody Intentions.

Then they propoſed ſome Votes to be offer'd to the Houſe, in which they Voted, "the Relation, which was made, to be true; and thereupon, that "the King's Coming to the Houſe was the higheſt Breach of the Priviledge "of Parliament, that could be made, and that the Arreſting, or endeavour-"ing to Arreſt, any member of Parliament was a high Breach of their Pri-"viledge; and that the Perſon, who was ſo Arreſted, might lawfully Reſcue, "and Redeem himſelf; and that all, who were preſent, and ſaw the Priviledge "of Parliament ſo Violated, might, and Ought to aſſiſt the Injured perſons "in his Defence, and to procure his Liberty with Force. And theſe Votes the Houſe confirmed, when they were Reported. Tho', in the Debate, it was told them, "that they muſt take heed, that they did not out of Tender-"neſs of their Priviledge, which was, and muſt be very precious to every "man, extend it further, than the Law would ſuffer it to be extended: that the "Houſe had allways been very ſevere upon the Breach of any of their Priviledges, "and in the Vindicating thoſe Members, who were Injured; but that the "diſpoſing men to make Themſelves Judges, and to reſcue themſelves or o-"thers, might be of evil Conſequence, and produce ill Effects; at leaſt if it "ſhould fall out to be, that the perſons were arreſted for Treaſon, or Felony, "or Breach of the Peace; in either of which Caſes, there could be no Privi-"ledge of Parliament. This, tho' a known Truth to any, who knew any thing of the Law, was received with Noiſe and Clamour, and with wonderful evidence of Diſlike, and ſome faint Contradictions, "that no Such thing "ought to be done, whilſt a Parliament was Sitting: and then, falling upon the late Action of the King, and the Merit of thoſe perſons, and without much Contradiction, which was found to be Ingrateful, the Houſe Confirmed all that the Committee had Voted; and then Adjourned again for ſome days, and Ordered the Committee to meet again in the City; which they did Morning and Afternoon; and prepared other Votes of a brighter Allay, and more in the face of the King, and the Law, every day adding to the Fury and Fierceneſs of the precedent. The Houſe met and Sate, only to Confirm the Votes which were paſſed by the Committee, and to proſecute Such Matters; as were by Concert brought to them, by Petition from the City; which was ready to Advance any thing, they were directed; and ſo, whilſt the Members yet kept themſelves Concealed, many particulars of great Importance were tranſacted in thoſe Short Sittings of the Houſe.

The King about this time, having found the Inconvenience and Miſchief to himſelf of having no Servant of Intereſt and Reputation, and who took his buſineſs to Heart, in the Houſe of Commons, had made the Lord *Falkland*, and Sir *John Colepepper*, both Members of that Houſe and of unblemiſhed Reputations and confeſſed Abilitys, of his Privy-Council; and the one, the Lord *Falkland*, his Principal Secretary of State, and Sir *John Colepepper*, Chancellor of the Exchequer; as is ſaid before, And ſo, having now gotten two Councellors about him, who durſt Truſt one another, and who were Both fit to be Truſted by Him, which he had been without above a Year paſt, to His, and the Kingdoms irreparable Diſadvantage; he thought fit to Publiſh a Declaration to all his Subjects, in Anſwer to the Remonſtrance, he had lately received from the Houſe of Commons, and was diſperſed throughout the Kingdom. In which, without the leaſt Sharpneſs or return of the Language, he had received; he took notice "of the Fears, and Jealouſies (for thoſe were the New words, which ſerved to Juſtify all Indiſpoſitions, and to excuſe all Diſorders) "which made Impreſſion in the minds of his People, with reference to their Religion, their Liberty, or their Civil Intereſts.

The King's Anſwer to the Houſe of Commons former Remonſtrance.

"As to their Religion, He obſerved the Fears to be of Two ſorts; either "as Ours here eſtabliſhed might be invaded by the Roman Party; or as it was "accompanied with ſome Ceremonies, at which ſome tender Conſciences "Really were, or Pretended to be Scandalized. For the firſt, as there might

"be

" be any ſuſpition of Favour or Inclination to the Papiſts, he ſaid, he was " willing to Declare to all the World, that, as he had been brought up from " his Childhood in, and practiſed that Religion, which was Eſtabliſhed in the " Church of *England*; ſo he believed he could, having given a good part of " his time and pains to the Examination of the Grounds of it, as it Differ'd " from that of *Rome*, maintain the ſame by Unanſwerable Reaſons; and " hoped he ſhould be ready to Seal it with the effuſion of his Blood, if it " ſhould pleaſe God to call him to that Sacrifice: and that nothing could be " ſo acceptable to him, as any Propoſition, which might contribute to the " Advancement of it Here, or the Propagation of it Abroad; this being the " greateſt means to draw down a Bleſſing from God upon himſelf, and this " Nation; and if this Profeſſion of his was wanting to his People, he thought " himſelf extreamly Unfortunate, for that his conſtant Practice in his own " Perſon had allways been, without Oſtentation, as much to evidence his " Care and Duty therein, as he could poſſibly tell how to expreſs.

" As for matters of Ceremony, He ſaid, he would, in Tenderneſs to any " number of his loving Subjects, be willing to comply with the advice of his " Parliament, that ſome Law ſhould be made for the exemption of tender " Conſciences from puniſhment or proſecution for neglecting ſuch Ceremonies; " and in Such Caſes, which by the judgment of moſt Men are held to be mat- " ters Indifferent, and of ſome to be abſolutely Unlawful. Provided, that that " Caſe ſhould be attempted, and purſued with that Modeſty, Temper, and Sub- " miſſion, that in the mean time the Peace, and Quiet of the Kingdom ſhould " not be diſturbed, the Decency, and Comelineſs of God's Service not diſcounte- " nanced; nor the Pious, Sober, and Devout actions of thoſe Reverend per- " ſons, who were the firſt Labourers in the bleſſed Reformation, or of that " time, be Scandalized, and Defamed. For, he ſaid, he could not without " Grief of Heart, and without ſome Tax upon himſelf and his Miniſters for " the not execution of the Laws, look upon the bold Licence of ſome men in " Printing of Pamphlets, in Preaching and Printing of Sermons ſo full of " bitterneſs and malice againſt the preſent Government, againſt the Laws E- " ſtabliſhed; ſo full of Sedition againſt his own Perſon, and the Peace of the " Kingdom; that he was many times amazed to conſider by what Eyes " thoſe things were Seen, and by what Ears they were heard.

" Concerning the Civil Liberties and Intereſts of the Subjects, He ſaid, he " ſhould need ſay the leſs, having erected ſo many laſting Monuments of his " Princely and Fatherly Care of his People, in thoſe excellent Laws paſſed by " him this Parliament; which, with very much Content to himſelf, he ſaid, " he conceived to be ſo Large and Ample, that very many ſober Men had " little left to wiſh for of that Kind. He told them, he very well under- " ſtood the Rights and particular Advantages, he had Departed from, in " many of the Acts he had paſſed; and therefore he had Reaſon to hope, as " he had taken all Occaſions to render Their Condition moſt Comfortable " and Happy; ſo They would, in grateful and dutiful return, be allways rea- " dy with equal Tenderneſs and Alacrity to advance His Rights, and prefer " His Honour, upon which their own Security and Subſiſtence ſo much de- " pended; and no Particular ſhould be preſented unto him for the compleating " and eſtabliſhing that Security, to the which he would not with the ſame rea- " dineſs contribute his beſt Aſſiſtance. He ſaid, If thoſe Reſolutions were the " effects of his preſent Counſels, and he took God to witneſs that they were " ſuch, and that his Subjects might confidently expect the Benefit of them " from him, certainly no ill Deſign upon the Publick could accompany Such " reſolutions; neither could there be great Cauſe of Suſpicion of any Per- " ſons preferred by him to Degrees of Honour, and Places of Truſt and Im- " ployment, ſince this Parliament: and therefore, that amongſt his Misfor- " tunes he reckoned it not the Leaſt, that, having not retained in his Ser- " vice, nor Protected any One perſon, againſt whom the Parliament had Ex- " cepted, during the whole Sitting of it, and having in all that time ſcarce " vouchſafed to any man an inſtance of his Favour or Grace, but to ſuch, who " were under ſome eminent Character of Eſtimation amongſt the People, " there ſhould ſo ſoon be a Miſunderſtanding or Jealouſy of their Fidelity and " Uprightneſs; eſpecially in a time, when he took all occaſions to Declare,

" that he conceived himſelf capable of being ſerved only by Honeſt men, and " in Honeſt ways.

" However if He had been miſtaken in ſuch his Election, the Particular " ſhould no ſooner be diſcovered to him, either by his own Obſervation, or " other certain Information, than he would leave them to Publick Juſtice, un- " der the marks of his Diſpleaſure. If notwithſtanding this, any Malignant " Party ſhould take heart, and be willing to Sacrifice the Peace and Happi- " neſs of their Country to their own ſiniſter Ends and Ambitions, under what " pretence of Religion and Conſcience ſoever; if they ſhould endeavour to leſ- " ſen his Reputation and Intereſt, and to weaken his Lawful power and au- " thority with his good Subjects; if they ſhould go about, by diſcountenancing " the preſent Laws, to looſen the Bonds of Government, that all Diſorder " and Confuſion might break in, he doubted not, but God in his good Time " would diſcover them, and the Wiſdom and Courage of his High-Court of " Parliament would joyn with him in their Suppreſſion, and Puniſh- " ment.

" Having ſaid all he could, to expreſs the Clearneſs and Uprightneſs of his " Intentions, and done all he could to manifeſt thoſe Intentions, he ſaid, he " could not but confidently believe, all his good Subjects would acknowledge " his Part to be fully performed, both in Deeds paſt and preſent Reſoluti- " ons to do, what with Juſtice might be required of him; and that their " Quiet and Proſperity now depended wholly on Themſelves, and was in their " own Power, by yielding all Obedience and due Reverence to the Law; " which is the Inheritance of every Subject, and the only Security he can " have for his Life, Liberty, and Eſtate; and the which being neglected or " diſeſteemed, under what ſpecious Shews ſoever, a great meaſure of Infe- " licity, if not an irreparable Confuſion, muſt without doubt fall upon them. " And he doubted not, it would be the moſt acceptable Declaration a King " could make to His Subjects, That he was not only reſolved to keep the " Laws himſelf, but to maintain them againſt what Oppoſition ſoever, tho' " with the hazard of his Being. He hoped the Loyalty, and good Affections " of all his Subjects would concur with him in the conſtant preſerving a good " Underſtanding between him and his People; and that their own Intereſt, " and Compaſſion of the lamentable Condition of the poor Proteſtants in *Ire-* " *land*, would invite them to a fair Intelligence and Unity amongſt themſelves; " that ſo they might, with one Heart, intend the relieving, and recovering " that unhappy Kingdom; where thoſe barbarous Rebels practiced ſuch in- " human and unheard of Outrages upon the miſerable People, that no Chri- " ſtian Ear could hear without Horrour, or Story parrallel. He concluded " with conjuring all his good Subjects, of what Degree or Quality ſoever, " by all the Bonds of Love, Duty, and Obedience, that are precious to good " Men, to join with him for the Recovery of the Peace of That Kingdom, " and the Preſervation of the Peace of This; to remove all the Doubts and " Fears, which might interrupt their Affection to Him, and all their Jealou- " ſies and Apprehenſions, which might leſſen their Charity to each other; " and then, he ſaid, if the Sins of the Nation had not prepared an inevitable " Judgment for all, God would make him a great, and glorious King over a " Free, and Happy People.

Tho' this Declaration had afterwards a very good Influence upon the Peo- ple, to his Majeſty's Advantage; yet for the preſent it gave no allay to their Diſtempers. Their Seditious Miniſters were diſpatched to inflame the neigh- bour Counties, and all poſſible art was uſed to inflame the City of *London*; which prevailed ſo far, that notwithſtanding all the Oppoſition the Lord- Mayor of *London*, the Recorder, and the graveſt and moſt Subſtantial Alder- men could make, the Major Part of the Common-Council prevailed to ſend a Petition to the King, in the name of the Mayor, Aldermen, and Common Council of the City of *London*; which was the next Sunday Morning delivered to him, with great Solemnity, at *White-Hall* by a Number choſen of that Body: Repre-

The City Peti- tions the King

ſenting " The great Dangers, Fears, and Diſtractions, the City then was in " by Reaſon of the prevailing Progreſs of the bloody Rebels of *Ireland*; the " putting out of Perſons of Honour and Truſt from being Conſtable and Lieu- " nant of the Tower, eſpecially in thoſe Times, and the Preparations there " lately made; the fortifying *White-Hall* with Men, and Ammunition

" in

" in an unuſual manner; ſome of which men abuſed, and wounded divers " Citizens paſſing by; the calling in divers Cannoneers, and other Aſſiſtance " into the Tower; the Diſcovery of divers Fireworks in the hands of Pa- " piſts, and the Miſunderſtanding between his Majeſty and the Parliament. " That their Fears were exceedingly increaſed by his Majeſty's late going " into the Houſe of Commons, attended by a multitude of armed Men, for " the apprehending of divers Members of that Houſe, to the indangering " his own Perſon, and the perſons, and Priviledges of that Honourable As- " ſembly. That the effects of thoſe fears tended not only to the overthrow of " the whole Trade of that City and Kingdom, which they felt allready in a " deep meaſure, but threaten'd the utter ruin of the Proteſtant Religion, and " the Lives, and Liberties of all his Subjects; and therefore they prayed his " Majeſty, that by the Advice of his great Council in Parliament, The Pro- " teſtants in *Ireland* might be ſpeedily relieved: the Tower put into the Hands " of Perſons of Truſt; that by removal of doubtful and unknown Perſons " from about *VVhite-Hall*, and *VVeſtminſter*, a known and approved Guard " might be appointed for the ſafety of his Majeſty, and the Parliament; and " that the Lord *Kimbolton* and the five Members of the Houſe of Commons " lately accuſed, might not be reſtrained of Liberty, or otherwiſe proceed- " ed againſt, than according to the Priviledges of Parliament.

The King very well underſtood from what Spirit this Petition proceeded, and the Inconvenience of giving ſo much countenance to it, as the very receiving it was, if he could have avoided it. But the Torrent was too ſtrong to be reſiſted by any direct ſtrength he could raiſe againſt it; and therefore he reſolved to endeavour to divide and reduce them, by the moſt gracious deſcending to their pretended fears, and Apprehenſions; and, the ſame day, gave them this Anſwer; " That for the ſad buſineſs of *Ireland*, he could not poſſibly ex- " preſs a greater ſenſe than he had done, there being nothing left on His part " Unoffer'd, or Undone. For the Tower, he wonder'd that having removed " a Servant of truſt from that Charge, only to ſatisfy the fears of the City, " and put in another of unqueſtionable reputation and known ability, the Peti- " tioners ſhould ſtill entertain thoſe Fears; and whatſoever preparation of " ſtrength was there made was with as great an eye of Safety and advantage " to the City, as to his own Perſon, and ſhould be equally imployed to both. *His Majeſty's Anſwer.*

" For the fortifying *VVhite-Hall* with Men, and Ammunition in an unuſual " way, He doubted not, that they had obſerved the ſtrange provocation he had " received to entertain that Guard; that, by the diſorderly and tumultuous " conflux of People at *VVeſtminſter* and *VVhite-Hall*, his great Council was " not only diſquieted, but his own Royal Perſon in danger; moſt Seditious " language being uttered even under his own windows. And if any Citizens " had been wounded, or ill treated, he was confidently aſſured, that it had " happened by their own evil and corrupt Demeanours. For the Fireworks in " the hands of a Papiſt, he knew nothing, nor underſtood Whom, or What " They meant.

" For his going to the Houſe of Commons, when his Attendants were no " otherwiſe armed than as Gentlemen with Swords, He was perſwaded, that " if they knew the clear grounds, upon which Thoſe Perſons ſtood accuſed of " High-Treaſon, and what would be proved againſt them, with which they " ſhould in due time be acquainted, and conſidered the Gentle way he took " for their Apprehenſion (which he preferred before any courſe of Violence, " tho' that way had been very Juſtifiable; ſince it was notoriouſly known that " no Priviledge of Parliament can extend to Treaſon, Felony, or breach of " Peace) they would believe his going thither was an Act of grace and favour " to that Houſe, and the moſt peaceable way of having that neceſſary Service " performed; there being ſuch Orders made for the reſiſtance of what Autho- " rity ſoever for their Apprehenſion: and for the proceedings againſt thoſe " perſons, he ever intended the ſame ſhould be with all juſtice and favour, ac- " cording to the Laws and Statutes of the Realm; to which all Innocent men " would chearfully ſubmit. And this extraordinary way of ſatisfying a Petiti- " on of ſo unuſual a Nature, he ſaid, he was confident would be thought the " greateſt inſtance, could be given, of his clear intentions to his Subjects; and " of the ſingular eſteem he had of the good affections of that City, which

" he hoped in Gratitude would never be wanting to his juſt commands and " ſervice.

It was no wonder that they, who at Such a time could be corrupted to frame, and deliver Such a Petition, would not be reformed by ſuch an Anſwer. Neither will it be here unſeaſonable to ſpend a little time in conſidering how the affections and tempers of ſo rich and opulent a City, which could naturally expect to proſper only by Peace, and agreement, were wrought upon, and tranſported, to that degree, as to be the chief Inſtruments of its own, and the Kingdoms deſtruction.

The ſtate and temper of the City of London *at that time.*

The City of *London* as the Metropolis of *England* by its Situation the moſt capable of trade, and by the moſt uſual reſidence of the Court, and the fixt Station of the Courts of Juſtice for the publick adminiſtration thereof throughout the Kingdom, the chief ſeat of trade, was, by the ſucceſſive countenance and favour of Princes, ſtrengthen'd with great Charters and Immunities, and was a Corporation governed within it ſelf; the Mayor, Recorder, Aldermen, Sheriffs, choſen by themſelves; ſeveral Companies incorporated within the great Corporation; which, beſides notable Priviledges, enjoyed Lands, and perquiſites to a very great revenue. By the incredible increaſe of Trade, which the diſtractions of other Countries, and the Peace of this brought, and by the great licence of reſort thither, it was, ſince this King's acceſs to the Crown, in Riches, in People, in Buildings marvellouſly increaſed, inſomuch as the Suburbs were allmoſt equal to the City; a Reformation of which had been often in contemplation, never purſued, wiſe men foreſeeing that ſuch a Fulneſs could not be there, without an Emptineſs in other places; and whilſt ſo many perſons of Honour and Eſtates were ſo delighted with the City, the Government of the Country muſt be neglected, beſides the exceſs, and ill husbandry, that would be introduced thereby. But ſuch foreſight was interpreted a Moroſity, and too great an oppreſſion upon the Common Liberty; and ſo, little was applied to prevent ſo growing a Diſeaſe.

As it had theſe, and many other advantages and helps to be Rich, ſo it was looked upon too much of late time as a Common Stock not eaſy to be exhauſted, and as a body not to be grieved by ordinary Acts of injuſtice; and therefore as it was a place of reſort, in all caſes of neceſſity, for the ſuddain borrowing great ſums of money, in which they were commonly Merchants too good for the Crown, ſo it was become a practice, upon any ſpecious pretences, to void the Security, that was at any time given for money ſo borrowed.

Thus after many queſtionings of their Charter, which were ever removed by conſiderable ſums of money, a Grant made by the King in the beginning of his Reign (in conſideration of great ſums of money) of good quantities of Land in *Ireland*, and of the City of *Londonderry* there, was voided by a Suit in the *Star-Chamber*; all the Lands, after a vaſt expence in building and planting, reſumed into the King's hands, and a fine of Fifty Thouſand pounds impoſed upon the City. Which Sentence being pronounced after a long and publick Hearing, during which time they were often invited to a Compoſition, both in reſpect of the ſubſtance, and the circumſtances of proceeding, made a general impreſſion in the minds of the Citizens of all conditions, much to the diſadvantage of the Court; and tho' the King afterwards remitted to them the penalties of that Sentence, they imputed that to the power of the Parliament, and rather remember'd how the benefit of their Grant had been taken from them, than by whom it was reſtored; ſo that, at the beginning of the Parliament, the City was as ill affected to the Court, as the Country was; and therefore choſe ſuch Burgeſſes to ſit there, as had either eminently oppoſed the Court, or accidentally been oppreſſed by it.

The chief Government and Superintendency of the City is in the Mayor, and Aldermen; which, in that little Kingdom, reſembles the Houſe of Peers; and the Common Council is the repreſentative body thereof, like the Houſe of Commons, to order and agree to all Taxes, Rates, and ſuch particulars belonging to the Civil policy. The Common Council are choſen every year, ſo many for every Pariſh, of the wiſeſt, and moſt ſubſtantial Citizens, by the Veſtry, and common convention of the People of that Pariſh; and as the wealthieſt, and beſt reputed men were commonly choſen, ſo, tho' the Election was once a year, it was formerly ſcarce ever known, that any man Once choſen was afterwards rejected or left out, except upon diſcovery of an enormous crime,

crime, and decaying in fortune to a Bankrupt: otherwiſe, till he was called to be Alderman, or dyed, he continued, and was every year returned of the Common Council.

After the beginning of this Parliament, when thoſe who ſteer'd at *Weſtminſter* found by their experience in the Caſe of the Earl of *Strafford* of what conſequence the City might be to them, and afterwards found by the courage of the preſent Lord Mayor, Sir *Richard Gourney*, who cannot be too often or too honourably mentioned, that it might be kept from being diſpoſed by Them; and that the men of wealth, and ability, who at firſt had concurred with them, begun now to diſcern that they meant to lead them further than they had a mind to go; they directed their Confidents, that at the Election of the Common Council-men by the concurrence and number of the meaner people, all ſuch, who were Moderate men, and Lovers of the preſent Government, ſhould be rejected; and in their places men of the moſt Active and Pragmatical heads, of how mean fortunes ſoever, ſhould be elected. And by this means that body in great part now conſiſted of Upſtart, Factious, Indigent companions, who were ready to receive all advertiſements and directions from *Weſtminſter*, and as forward to incroach upon their Superiors, the Mayor, and Aldermen. And ſo this firebrand of Priviledge inflamed the City at that time.

That they might gratify the City in procuring a better Anſwer, than they had received from the King to their Petition, and that they might more expoſe his Majeſty to their Affronts, the Houſe reſumed the buſineſs of the Tower again, with the old reflexions upon the removal of the former Good Lieutenant, and the putting in a rude perſon and of a deſperate fortune, as they called him, that he might uſe ſuch Priſoners, as there was an intent to ſend thither, in ſuch a manner, as he ſhould be directed; and that the perſon, who was ſince put in, had put the City into great apprehenſions by the Obſervation that was made, that he took great ſtore of proviſions into the Tower, as if he made proviſion for a greater Garriſon, which raiſed great jealouſies; and there was a Petition brought, and delivered to the Houſes in the Names of ſeveral Merchants, who uſed to trade to the Mint; in which they deſired that there might be ſuch a perſon made Lieutenant of the Tower, "as they could Confide in (an Expreſ-" ſion that grew from that time to be much uſed) without which no man would venture Bullion into the Mint, and by conſequence no Merchant would bring it into the Kingdom. Whereas intruth there was no Gentleman of the Kingdom of a better reputation amongſt all ſorts of men, and there had been more Bullion brought into the Mint in the ſhort time of His being Lieutenant, than had been in many Months before; and amongſt thoſe perſons, which ſo ſolemnly delivered that Petition, and had all ſubſcribed it, there were very few, who had ever ſent any Silver into the Mint. However the Houſe entertained the complaint as very reaſonable, and ſent for a Conference with the Lords; with whom they prevailed to joyn with them in a deſire to the King, "that he would remove Sr. *John Byron* from being Lieutenant of " the Tower, which the King for ſome time refuſed to do, till they preſſed it in another manner; which ſhall be mentioned anon.

The Committee of the Commons ſtill tranſacts in the City.

The Committee, that ſtill continued to Sit in *London*, intended no other buſineſs, but their own Priviledges; ſent for, and examined, as hath been ſaid, all men, who had attended his Majeſty, or had been caſually preſent in the Hall, or at the doors of the Commons Houſe, when the King was there; and all ſuch Examinations, as teſtified any extravagant diſcourſe uttered by any looſe fellow, who had accidentally put himſelf into the company, tho' it appeared he had no relation to the King's Service, were carefully Enter'd, and Publiſhed; but ſuch as declared the King's ſtrict command againſt any Violence, or diſorder, and his poſitive Charge, that no man ſhould preſume to follow him into the Houſe of Commons (as full Proof was made to them of thoſe particulars) were as carefully Suppreſſed, and Concealed.

The Sheriffs of *London* had been directed to appoint a Guard to attend the Committee, whilſt it ſhould continue there; and then to guard the Houſes when they ſhould again ſit at *Weſtminſter*. The accuſed perſons, who lodged all this time in the City, were brought to the Committee with much ſtate, and ſate with them to deviſe ſome way to Vindicate themſelves.

A Declaration of the Commons touching the five Members.

Then a Declaration was agreed upon by the Commons only, in which was ſet forth, " that the Chambers, Studies, and Trunks of Mr. *Hollis*, Sr. *Arthur* " *Haſlerigg*, Mr. *Pym*, Mr. *Hambden*, and Mr. *Strode* had been by colour of his " Majeſtys Warrant ſealed up ; which was not only againſt the Priviledge of " Parliament, but the common liberty of every Subject; that the ſame Mem- " bers had been the ſame day demanded by a Serjeant at Arms to be delivered " to him, that he might Arreſt them of High-Treaſon; that the next day his " Majeſty came to the Houſe in his own perſon, attended by a multitude of Arm- " ed men in a Warlike manner with Halberts, Swords, and Piſtols, who came " up to the very door of the Houſe, and placed themſelves there and in other " places and paſſages near to the Houſe, to the great terrour and diſturbance of " the Members then Sitting; that his Majeſty, ſitting in the Speakers Chair, " demanded the perſons of thoſe Members to be delivered to him, which was " a high breach of the Rights, and Priviledges of Parliament, and inconſiſtent " with the Liberties and Freedom thereof; that afterwards his Majeſty did " iſſue forth ſeveral Warrants to divers Officers under his own hand, for the " apprehenſion of their perſons, which by Law he could not do. And there- " upon they declared, " that if any perſon ſhould arreſt Mr. *Hollis*, *&c.* or any " other Member of Parliament, by pretence of any Warrant iſſuing out from the " King, he was guilty of the breach of the Priviledge of Parliament, and a pub- " lick Enemy of the Common-wealth; and that the arreſting any Member of " Parliament, by any Warrant whatſoever, without conſent of that Houſe, " whereof he is a Member, is a breach of the Priviledge of Parliament; and " the perſon that ſhall ſo arreſt him, is declared a publick Enemy of the Com- " mon-wealth.

They publiſhed, that it did fully appear by ſeveral Examinations, that many " Soldiers, Papiſts and others, to the number of about five hundred, came with " his Majeſty to the Houſe of Commons, armed; and that ſome of them, " holding up their Piſtols cocked near the door of the Houſe, which they kept " open, ſaid, I am a good Markſman, I can hit right, I warrant you: and ſaid, " they would have the door open; and if any oppoſition was made, they made " no queſtion but they ſhould maintain their Party; and that ſome ſaid, " a Pox " take the Houſe of Commons, let them be Hanged. And when the King re- " turned from the Houſe, they expreſſed great diſcontent, asking, when comes " the *word*; that ſome of them being demanded what they thought the compa- " ny intended to have done, anſwered, that queſtionleſs in the poſture they were " ſet in, if the *word* had been given, they ſhould have fallen upon the Houſe of " Commons, and have cut all their throats: upon which they ſaid they were of opi- " nion, that the Soldiers and Papiſts coming in that manner with his Majeſty was " to take away ſome of the Members of the Houſe, and if they ſhould have found " oppoſition, or denial, then to have fallen upon the Houſe, in a Hoſtile manner.

And they did thereupon declare, " that the ſame was a Traiterous deſign a- " gainſt the King and Parliament. And whereas the perſons accuſed had, with " the approbation of the Houſe abſented themſelves from the Service of the " Houſe, for avoiding the great and many inconveniencies, which otherwiſe " might have happened ; ſince which time, a Printed Paper in the form " of a Proclamation had iſſued out for the apprehending and impriſoning " them, ſuggeſting, that through the conſcience of their Guilt they were ab- " ſent, and fled ; they did further declare, " that the ſaid Printed Paper was " Falſe, Scandalous, and Illegal ; and that notwithſtanding that Printed Paper, " or any Warrant iſſued out, or any other matter againſt them, they might, and " Ought to attend the ſervice of the Houſe, and the Committees then on foot; " and that it was lawful for all perſons whatſoever to lodge, harbour, and con- " verſe with them, and whoſoever ſhould be queſtioned for the ſame ſhould be " under the Protection and Priviledge of Parliament.

And they declared, " that the publiſhing the Articles of High-Treaſon againſt " the perſons accuſed was a high breach of the Privledge of Parliament, a great " Scandal to his Majeſty, and his Government, a Seditious act manifeſtly tending " to the Subverſion of the Peace of the Kingdom, and an injury, and diſhonour " to the Members ; and that the Priviledges of Parliament, and Liberties of " the Subject ſo violated and broken, could not be fully, and ſufficiently Vindica- " ted, unleſs the King would be graciouſly pleaſed to diſcover the names of

" thoſe

" thoſe perſons, who adviſed him to do the particular acts before mentioned,
" that they might receive Condign Puniſhment.

This ſtrange Declaration, ſo contrary to the known rules and judgments of Law, and to the known practice and proceedings of Parliament, was no ſooner framed and agreed upon in the committee, than it was printed, and publiſhed throughout the City, and Kingdom, before it was Confirmed by, or Reported to the Houſe; which is againſt the cuſtom of Parliament. For by that cuſtom no act done at any committee ſhould be divulged before the ſame be Reported to the Houſe.

The truth is, it cannot be expreſſed how great a Change there appeared to be in the countenance and minds of all ſorts of people, in town and Country, upon theſe late proceedings of the King. They, who had before even loſt their Spirits, having loſt their credit, and reputation, except amongſt the meaneſt people, who could never have been made uſe of by them, when the greater ſhould forſake them; and ſo deſpaired of ever being able to compaſs their deſigns of Malice, or Ambition (and ſome of them had reſumed their old reſolutions of leaving the Kingdom) now again recovered greater Courage than ever, and quickly found that their credit and reputation was as great as ever it had been; the Court being reduced to a lower condition, aud to more diſeſteem, and neglect than ever it had undergone. All that they had formerly ſaid of Plots and conſpiracies againſt the Parliament, which had before been laughed at, was Now thought true and real; and all their fears, and jealouſies looked upon as the effects of their great Wiſdom, and Foreſight. All that had been Whiſpered of *Ireland*, was now talked Aloud and Printed; as all other Seditious Pamphlets and Libels were. The Shops of the City generally ſhut up, as if an Enemy were at their Gates ready to enter, and to plunder them; and the People in all places at a Gaze, as if they look'd only for Directions, and were then diſpoſed to any undertaking.

On the other ſide, They, who had, with the greateſt courage and alacrity, oppoſed all their Seditious practiſes, between Grief and Anger were confounded with the conſideration of what had been done, and what was like to follow. They were far from thinking that the accuſed Members had received much Wrong, yet they thought it an Unſeaſonable time to call them to an Account for it. That if any thing had been to be done of that kind, there ſhould have been a fitter choice of the Perſons, there being many of the Houſe, of more miſchievous inclinations, and deſigns againſt the King's perſon, and the Government, and were more expoſed to the Publick Prejudice, than the Lord *Kimbolton* was, who was a Civil and well natured man, and had rather kept ill Company, than drank deep of that infection and poiſon, that had wrought upon many others. Then Sir *Arthur Haſlerigg*, and Mr. *Strode* were perſons of too Low an account and eſteem; and tho' their Virulence, and Malice was as conſpicuous, and tranſcendent as any man's, yet their reputation, and intereſt to do miſchief otherwiſe than in concurring in it, was ſo ſmall, that they gained credit and authority, by being joyned with the reſt, who had indeed a great Influence. However, ſince there was a reſolution to proceed againſt Thoſe men, it would have been much better to have cauſed them to have been all Severally arreſted, and ſent to the Tower, or to other Priſons, which might have been very eaſily done before ſuſpected, than to ſend in that manner to the Houſes with that Formality, which would be liable to ſo many exceptions. At leaſt, they ought ſo far to have imparted it to Members in both Houſes, who might have been truſted, that in the Inſtant of the Accuſation, when both Houſes, were in that Conſternation (as in a great conſternation they were) ſomewhat might have been preſſed Confidently towards the King's ſatisfaction; which would have produced ſome oppoſition and contradiction, and might have prevented that Univerſal concurrence, and dejection of Spirit, which ſeized upon, and poſſeſſed both Houſes.

But above all, the anger and indignation was very great and general, that to all the other overſights and preſumptions was added the expoſing the Dignity, and Majeſty, and Safety of the King, in his coming in Perſon, in that manner, to the Houſe of Commons; and in going the next day, as he did, to the *Guild-Hall*, and to the Lord Mayor's; which drew ſuch Reproaches upon him to his Face. All which was juſtly imputed to the Lord *Digby*, who had before fewer true Friends than he deſerved, and had now almoſt the whole Nation his Enemys, being the moſt Univerſally odious of any man in it.

When the Houſe of Commons had Paſſed ſuch Votes from the Committee at *Merchant-Taylors-Hall*, as they thought neceſſary, and had once more Adjourned thither, the Committee asked the advice of the Houſe, whether the accuſed Members might be preſent with them (who had intruth directed, and governed all their proceedings from the time they Sate there) which was not only approved, but thoſe Members required to attend the Houſe the next day it was to ſit, and ſo to continue the ſervice of the Houſe, which was then Adjourned for three or four days, that the City might appear in ſuch a poſture, as ſhould be thought convenient.

The noiſe was ſo great of the preparations made in the City to bring the accuſed Members in Triumph to the Parliament, and that the whole Militia would accompany them, whilſt the Seamen and Mariners made an appearance in Barges, and other Veſſels upon the *Thames* to *Weſtminſter*, that the King thought it convenient to remove again from *White-Hall*: and ſo on the tenth of *January*, which was the Eve to that great Feſtival, his Majeſty, the Queen, and the Royal Children, went from *White-Hall* to *Hampton-Court*, waited on by ſome few of their own Houſhold Servants, and thirty or forty of thoſe Officers, who had attended at *White-Hall* for ſecurity againſt the tumults.

The King and the Royal Family remove to Hampton-Court.

Before His going, he ſent to the Earls of *Eſſex* and *Holland* to attend him in this journey; who were both by their Places, the one being Lord Chamberlain of his Houſhold, the other the firſt Gentleman of his Bed-Chamber or Groom of the Stole, Obliged to that Duty. The Earl of *Eſſex* reſolved to go, and, to that purpoſe, was making himſelf ready, when the Earl of *Holland* came to him, and privately diſſwaded him; aſſuring him, that if They two went, they ſhould be both Murther'd at *Hampton-Court*; whereupon they left the King to his ſmall retinue in a moſt diſconſolate, perplexed condition, in more need of comfort and Counſel, than they had ever known him: and inſtead of attending their Maſter in that exigent, they went together into the City, where the Committee Sate, and where they were not the leſs welcome for being known to have been invited to have waited upon their Majeſties. They, who wiſhed the King beſt, were not ſorry that he Then withdrew from *White Hall*; for the inſolence, with which all that people were tranſported, and the animoſity, which was infuſed into the hearts of the people in general againſt the Court, and even againſt the Perſon of the King, cannot be expreſſed.

Whilſt the Committee Sate in *London*, the Common Council likewiſe met, as hath been ſaid, to the end they might be ready to comply in any particulars ſhould be deſired from the City; and ſo the Committee having Reſolved, "that "the actions of the Citizens of *London*, or of any other perſon whatſoever for "the defence of the Parliament, or the Priviledges thereof, or the preſervati-"on of the Members thereof, were according to their duty, and to their late Proteſtation, and the Laws of this Kingdom: and if any perſon ſhould arreſt, or trouble any of them for ſo doing, he was declared "to be a publick Enemy "of the Common-wealth: and in the next place having Reſolved, "that that "Vote ſhould be made known to the Common-Council of the City of *London*, "the accuſed Members about two of the Clock in the Afternoon on the eleventh "of *January*, being the next day after the King went to *Hampton-Court*, came from their lodgings in the City to *Weſtminſter*, guarded by the Sheriffs, and Train'd-bands of *London* and *Weſtminſter*, and attended by a conflux of many thouſands of People beſides, making a great clamour againſt Biſhops, and Popiſh Lords, and for the Priviledges of Parliament; ſome of them, as they paſſed by *White-Hall* asking with much contempt, "what was become of the King "and his *Cavaliers*? and whither he was gone?

The accuſed Members are brought in triumph to Weſtminſter Jan. 11.

From *London* bridge to *Weſtminſter* the *Thames* was guarded with above a hundred Lighters and Longboats, laden with ſmall pieces of Ordinance, and dreſſed up with Waſt-cloaths and Streamers, as ready for Fight. And that the Train'd-bands of *London* might be under the command of a perſon fit to lead them, they granted a Commiſſion to Captain *Skippon*, who was Captain of the Artillery Garden, to be Major-General of the Militia of the City of *London*; an Office never before heard of, nor imagined that they had authority to conſtitute. The man had ſerved very long in *Holland*, and from a common Soldier had raiſed himſelf to the degree of a Captain, and to the reputation of a good Officer; he was a man of order and ſobriety, and untainted with any of thoſe vices,

which the Officers of that Army were exerciſed in, and had newly given over that ſervice upon ſome exceptions he had to it, and, coming to *London*, was by ſome Friends preferred to that Command in the Artillery Garden, which was to teach the Citizens the exerciſe of their Arms. He was altogether illiterate, and having been bred allways abroad, brought diſaffection enough with him from thence againſt the Church of *England*, and ſo was much careſſed and truſted by that Party.

This man marched that day in the head of their tumultuary Army to the Parliament Houſe; where the accuſed Members were no ſooner enter'd, than they magnified "the great kindneſs and affection they had found in the City, "and their zeal to the Parliament; and if their expreſſions of it, upon this ex- "traordinary occaſion, had been ſomewhat unuſual, that the Houſe was in- "gaged in honour to Protect and defend them from receiving any damage." Whereupon the Sheriffs of *London* were called into the Houſe of Commons, and thanked by the Speaker for their extraordinary care, and love expreſſed to the Parliament; and told, "that they ſhould have an Ordinance of Parliament; "for their Indemnity, declaring that all their actions of reſpect and kindneſs, "which they had ſhew'd to the Lords and Commons in *London*, and their at- "tending them to, and at *Weſtminſter*, was legal and juſtifiable. The Maſters and Officers of Ships were likewiſe called in, and moſt heartily thanked for their kindneſs; and Serjeant-Major-General *Skippon* appointed every day to attend at *Weſtminſter*, with ſuch a Guard as he thought ſufficient for the two Houſes. There was one circumſtance not to be forgotten in the march of the Citizens that day, when the ſhew by Water was little inferior to the other by Land, that the Pikemen had faſten'd to the tops of their pikes, and the reſt in their hats or their boſoms, printed Papers of the Proteſtation, which had been ta- ken, and injoyned by the Houſe of Commons the year before for the defence of the Priviledge of Parliament; and many of them had the printed Votes of the King's breaking their Priviledges in his coming to the Houſe, and demand- ing their Members.

The Bucking- ham-ſhire *men's Petition to the Houſe of Commons.*

Aſſoon as the Citizens and Mariners were diſcharged, ſome *Buckingham-ſhire* men, who were ſaid to be at the Door, with a Petition, and had indeed wait- ed upon the Triumph with a train of ſeveral thouſand men, were called in; who delivered their Petition in the name of the Inhabitants of the County of *Buck- ingham*, and ſaid it was brought to the Town by about ſix thouſand men. "They "commended the unwearied pains of the Houſe of Commons, for redreſs of "the preſſures they had lain under, but complained that the ſucceſs was not "anſwerable, their endeavours being fruſtrated or retarded by a malignant facti- "on of Popiſh Lords, Biſhops, and Others; and now of late, to take all that lit- "tle hope, was left, from them, of a future reformation, the very Being of "the Parliament was ſhaken, the Priviledges thereof broken in a deſperate and "unexampled manner, and the Members thereof unaſſured of their lives, in whoſe "ſafety, the ſafety of them, and their Poſterity was involved. They held it "therefore their duty according to their late Proteſtation to defend, and main- "tain the Perſons and Priviledges thereof, to the utmoſt power of their Lives "and Eſtates; to which purpoſe, they ſaid, they were then come to make the "humble tender of their Service, and would remain in expectation of their Com- "mands and Order; to the execution whereof they would with all alacrity ad- "dreſs themſelves, ready to live by them, or to dye at their feet, againſt whom- "ſoever ſhould in any ſort Illegally attempt upon them.

"They beſought them therefore to aſſiſt the ardent prayers of the Petitioners, "that the Popiſh Lords and Biſhops might be forthwith outed the Houſe of "Peers; that all Priviledges of Parliament might be confirmed to them, and "that all evil Counſellors, the *Achans* of the Common-wealth, might be given "up to the hands of Juſtice; without all which they ſaid, they had not the "leaſt hope of *Iſraels* peace, or to reap thoſe glorious advantages, which the "fourteen Months ſeed time of their unparallelled endeavours had given to their "unſatisfied expectations.

When they had received thanks for their wonderful affection, and were told, that "by the great care of the City of *London* the Parliament was ſufficiently 'guarded and aſſured; and therefore that they might depart to their Houſes 'till further occaſion appeared, of which they ſhould be ſure to be informed;

One of them ſaid, "they had another Petition, which they meant to prefer "to the King; but deſired their advice, whether that Houſe would vouchſafe "to recommend it, or whether they themſelves ſhould deliver it. For That, they received New thanks; and were wiſhed "that ſix, or eight of them ſhould "preſent it to his Majeſty in the name of the reſt; for the Houſe ſaw their Wiſdom and moderation ſuch, that they preſumed they of Themſelves were very able to manage that buſineſs.

They alſo Petition the Houſe of Lords.

When they had thus careſſed the Commons, they went to the Houſe of Lords with another Petition, complaining "of the malignant faction, which render'd the endeavours of the Houſe of Commons ſucceſsleſs; and ſaid, "that "in reſpect of that late attempt upon the Honourable Houſe of Commons, "they were come to offer their Service, as reſolved in their juſt defence to live "and dye. And therefore they did humbly pray, that that moſt Honourable "Houſe would cooperate with the Houſe of Commons, in ſpeedily perfecting the "moſt neceſſary work of Reformation, bringing to condign, and exemplary "puniſhment both wicked Counſellors, and other Plotters, and Delinquents; "and that the whole Kingdom might be put into ſuch a preſent poſture of "Defence, that they might be ſafe both from all practices of the malignant "Party at home, and the endeavours of any ill affected States abroad. The Lords were as Civil to them as the Commons had been, and gave them great thanks. And from thence they went to find out the King with their Petition to Him, in which they complained, "that Mr *Hambden*, whom they had choſen "Knight of their Shire, and in whom they had ever good cauſe to Confide, "was, to their great amazement, accuſed, amongſt the others, of High-Treaſon. They ſaid, that having taken into their ſerious conſideration the manner of their Impeachment, they could not but conceive that it did oppugn "the Rights of Parliament, to the maintenance whereof their Proteſtation "did bind them; and they did believe, that the malice, which his, and the "others Zeal to his Majeſty's Service, and the State, had raiſed in the Enemys "of his Majeſty, the Church, and the Common-wealth, had occaſioned that "foul Accuſation, rather than any ill deſerts of Theirs; and that through "Their ſides the judgment and care of the Petitioners and others were wounded, by whoſe choice they were preſented to the Houſe; and therefore they "did humbly deſire his Majeſty that Mr *Hambden*, and the reſt, who lay under-"the burthen of that Accuſation, might enjoy the juſt Priviledges of Parliament. So from this day we may reaſonably date the Levying of War in *England*; whatſoever hath been ſince done being but the Superſtructures upon thoſe foundations, which were then laid.

They Petition the King.

The Houſe of Commons revived the Votes paſſed by their Committee in the City, and added more.

The Members being in this manner placed again upon their Thrones, and the King retired with his poor family to *Hampton-Court*, they reviewed their Votes, which had paſſed in the Committee in the City, which they had cauſed every night to be printed without ſtaying for the confirmation of the Houſe; and where they had any defect, as they thought, or by the interpretation of others, they ſupplied them with more ſtrength and Authority. So they provided and declared, "that no Member of Parliament ſhould be arreſted upon any pretence whatſoever. And becauſe it had been inſiſted on that they would not make any Declaration ſo much againſt the known Law, which allowed no Priviledge in the caſe of Treaſon, Felony, or breach of the Peace, they now added that "even in the caſe of Treaſon, no Member ought or could be arreſted, "or proceeded againſt, without firſt informing the Houſe, of which he was a "Member, of the Charge and Evidence againſt him, and receiving Their leave "and direction for the proceeding againſt him. And that men might hereafter be more wary how they were made inſtrumental in bringing any reproach upon them, they Appointed a Committee to prepare a Charge againſt *Herbert* the King's Attourney General for preſuming to accuſe the Members of High Treaſon; which was made ready accordingly, and proſecuted with wonderful vigour, as will be remembered hereafter.

They reſolved that the King ſhould not enjoy much eaſe and quiet in his retreat; and therefore every day ſent ſome Committee or other to him with Petitions and expoſtulations: a Committee of Lords, and Commons attended him with a grievous complaint of the Breach of Priviledge, they had ſuſtained by his coming to the Houſe; and deſired him "that he would inform them

"who

" who had given him that pernicious Counſel, that ſuch evil Counſellors might " be brought to juſtice, and receive condign puniſhment. And when they found that the Lord *Digby*, whom they generally believed to be the Author and contriver of all that tranſaction, tho' they could have no evidence of it, had withdrawn himſelf from Court, and they well enough knew had tranſported himſelf beyond the Seas, they brought Witneſſes to the Bar, who affirmed, that " there were, on ſuch a day, ſeveral Officers, whereof the unbeloved *Lunsford* " was one, aſſembled together at *Kingſton* upon *Thames* near *Hampton-Court*; " and that the Lord *Digby* came thither to them in a Coach with ſix Horſes " from *Hampton-Court*, and conferred with them a long time, and then return- " ed again thither. They were well ſatisfied with the evidence, and forthwith accuſed him to the Houſe of Peers of High-Treaſon, for the Levying of War againſt the King and Parliament; and a Proclamation was ſhortly iſſued out for his Apprehenſion, when all the Town knew, that he was ſafely arrived in *Zeeland*. They reſumed the conſideration of the Lieutenant of the Tower; and upon new information that much proviſion was ſent in thither every day, they ſent for Sir *John Byron*, who appeared at their Bar, and gave ſo full anſwers to all the queſtions they asked of him, that they could not but diſmiſs him. However they ſent again to the King to remove him, and put a fitter man into the place, and recommended Sir *John Coniers* to him, as a man, in whom they could Confide; and becauſe they did not ſpeedily receive ſuch an Anſwer as they liked, they appointed their Major-General *Skippon* to place ſuch Guards about the Tower, as might prevent the carrying in more proviſion of victual thither, than would ſerve for one day's conſumption; notwithſtanding which the King would not conſent to their deſire.

The Lord Digby *accuſed of High-Treaſon upon pretence of his Levying War at* Kingſton *upon* Thames.

All men were now in union in both Houſes: the Lords had not yet recovered the courage to diſſent in any one propoſition made to them from the Commons; and in Their Houſe no man durſt preſume to Debate the matter of Priviledge, how far it extended, and in what caſes it was of no moment, leaſt he might be thought to be privy to, and a Counſellor of, that hainous breach, which had given them all this credit. In this conſent and concurrence, all the Votes, which had paſſed at the Committee in *London*, and which had been by them communicated to the Common Council, and ſo divulged throughout the City and Kingdom, were confirmed; and thoſe, who objected againſt any expreſſions, which were not warrantable, reprehended for taxing the diſcretion of the Committee.

And in one day both Houſes agreed in, and executed three Acts of Sovereignty, even of as high nature as any they have ſince ventured upon; the firſt, " in commanding the Sheriffs of *London*, by, and with the advice of their new " Serjeant-Major-General *Skippon*, to place a Guard upon, that is to Beſiege the " Tower of *London*, to hinder the going in of any proviſions, or going out of " any Arms or Ammunition; the ſecond, " in appointing Sir *John Hotham* to " go to *Hull*, which will be mentioned anon; the third " in ſending an Order " to the Governour of *Portſmouth*, that no body ſhould be admitted into that " town and fort, or ſuffer'd to paſs from thence, or any thing to be diſpoſed of " there, but by order from the King ſignified by both Houſes of Parliament.

After this, a meſſage was reſolved upon to be ſent to the Governour of the Prince, " that he ſhould not ſuffer the Prince to be tranſported out of the King- " dom, as he would anſwer the breach of Truſt repoſed in him concerning Re- " ligion, and the honour, ſafety, and peace of the three Kingdoms; and they declared, " that any perſon, who ſhould perſwade or attend upon him in ſuch " tranſportation, ſhould be under the ſame Cenſure. With theſe high Acts of publick concernment they joined the vindication of themſelves from the late Treſpaſs: and to that end cauſed the Attourney General to be publickly examined upon Interrogatories, " whether he did contrive, frame, or adviſe the " Articles of Impeachment againſt the Members that were accuſed? whether " he knew the truth of them upon his Own knowledge, or by information? " whether he would undertake to make them good, when he ſhould be there- " unto called? from whom he received them, and by whoſe direction or advice " he did exhibite them? whether he had any teſtimony or proof of them before " the exhibiting? And having received his Anſwer, that he had neither fram- " ed, nor adviſed them, nor knew any thing of the truth of them, nor could

The Commons examine the Attourney Gen. touching the Impeachment of the five Members.

His Anſwer.

" undertake to juſtify them, but that he had received them from the King, and " was by him commanded to exhibite them; they preſently declared, " that he " had broken the Priviledge of Parliament in preferring thoſe Articles, and " that the ſame was Illegal, and he Criminal for ſo doing; and that a Charge " ſhould be ſent to the Lords, in the name of the Houſe of Commons, againſt " the Attourney General, to have ſatisfaction for the great ſcandal, and injury " to the Members thereof, unleſs he did within five days bring in his Proof, " and make good the Articles againſt them.

They Vote a Charge againſt him.

So that they had now raiſed to themſelves an unqueſtionable ſtock of ſecurity, when they had declared, " that they might neither be apprehended by a War- " rant under the King's own hand, nor accuſed by his Attourney General, ex- " cept Themſelves were willing: and they, who had concluded it moſt exactly juſt, that the Houſe of Peers muſt Impriſon their own Members, as faſt as the Commons accuſed them of High-Treaſon, and, by that rule, had, within leſs than a week before, freed themſelves of twelve Biſhops, who allways oppoſed their deſigns (and in a caſe, where every man's Conſcience abſolved them of the Guilt, of which they were charged) thought it now Unanſwerable reaſon to condemn the Juſtice of the King's proceedings; " becauſe if a man ſhould be " committed and impriſoned aſſoon as the King accuſed him of High-Treaſon, " the Parliament might by conſequence be Diſſolved; ſince he might ſucceſſive- " ly accuſe the whole body; which Logick, if they had not pleaſed to Vote the contrary, would have run as well in their own caſe, upon their own licence of accuſing, and more dangerouſly in reſpect of the Houſe of Peers, which might poſſibly indeed have been thereby Diſſolved.

Tho' the King had removed himſelf out of the noiſe of *Weſtminſter*, yet the effects of it followed him very cloſe; for beſides the *Buckingham-ſhire* Petitioners, who alarm'd him the ſame, or the next day after he came to *Hampton-Court*, ſeveral of the ſame nature were every day preſented to him, in the name of other Countys of the Kingdom; all which were printed, and ſcattered abroad with the Declaration of the Lord *Digby*'s Levying War at *Kingſton* upon *Thames*, and the Proclamation for apprehending him; all which being ſo induſtriouſly diſperſed, and without any colour, or ground of danger, but only that the Kingdom might be inured to the ſtile of the two Houſes, and exerciſed in their commands againſt the time, that they meant to be in earneſt, gave the King reaſon to remove in few days from *Hampton-Court* to his Caſtle at *Windſor*, where he could be more ſecure from any ſuddain popular Attempt; f which he had reaſon to be very apprehenſive, when after thoſe high acts of Sedition at *London* and *Weſtminſter* were declared to be according to the Laws of the Land, and the Proteſtation lately taken, that Proteſtation was by a new Order injoyned to be adminiſter'd throughout the Kingdom, and the Names of all thoſe who refuſed to take it, which there was reaſon to believe many would upon their new Gloſſes, return'd to the Houſe of Commons, who were as ſevere Inquiſitors as could be found any where.

The King removes to Windſor.

From thence his Majeſty ſent a Meſſage to both Houſes, " that he took " notice, that his proceedings againſt thoſe Perſons, whom he had accuſed " (naming them) were conceived by many to be Illegal, and not agreeable to " the Priviledge of Parliament; and that he was ſo deſirous to give ſatisfaction " to all men in all matters, that might ſeem to have relation to Priviledge of Par- " liament, that he would wave his former proceedings; and all doubts being by " that means ſettled, when the minds of men were compoſed, he would proceed " againſt them in an unqueſtionable way; and he aſſured both Houſes, that " upon all occaſions, he would be as careful of their Priviledges as of his Life, " or his Crown. To which he added, that, in all his proceedings againſt thoſe " Perſons, he had never the leaſt intention of violating the leaſt Priviledge of " Parliament; and in caſe any doubt of breach of Priviledge remain'd, he " would be willing to aſſert it by any reaſonable way his Parliament ſhould ad- " viſe him to; and therefore he deſired them forthwith to lay by all jealouſies, " and apply themſelves to the publick and preſſing Affairs, and eſpecially to " thoſe of *Ireland*, wherein the good of the Kingdom, and the true Religion, " which ſhould ever be his firſt care, were ſo highly and ſo nearly concern'd. " And he deſired them, that his care of Their Priviledges might increaſe their " care of His Lawful Prerogative, which was ſo neceſſary to the mutual defence

Thence ſends a Meſſage to both Houſes.

" of

" of each other, and both would be the foundation of a perpetual and perfect " intelligence between his Majeſty and Parliaments, and of the happineſs and " proſperity of his People.

But this Meſſage was not ſuch as they looked for; there ſeem'd ſtill to be left a time for proſecution, and tho' the error in Form ſeem'd to be conſented to, yet the Subſtance and Matter of the accuſation might be ſtill inſiſted on. And therefore they took no notice of it but proceeded in inflaming all men with the ſenſe of the breach of Priviledge; and finding the general mettle ſomewhat to abate, that they might keep up the apprehenſion of danger, and the eſteem of their Darling the City, they conſult about Adjourning both Houſes into *London*; but finding ſome danger of infringing the act of Parliament, from whence ſome advantage might be taken to their prejudice, till that power might be cleared by a Law, they were contented to Adjourn their Houſes as they had done for ſome days, and to appoint Committees, qualified with more power than the Houſes had, to meet in *London*; which for the convenience of the Common Council, who took up the *Guild-Hall*, choſe to ſit in *Grocers-Hall*.

The Houſes appoint Committees to ſit in Grocers-Hall

It was wonder'd, that having All places ſo much at their devotion, they would remove from their more convenient ſeats at *Weſtminſter*; where they might tranſact whatſoever they deſired without interruption, and where they were only diſturbed by their own direction. But the advantage they reaped by it was extraordinary; for, beſides the fears they diſperſed abroad, and the confidence they gave their own Friends of the City by being with them, they were ſure, for the moſt part to have a Committee to their own hearts deſire; ſince beſides many out of Lazineſs or Indignation would not attend the Service in ſo inconvenient a place, very many, who troubled them moſt in their Counſels, Durſt not in earneſt go thither, for fear of uncomely Affronts, if not danger, their names being publiſhed in the tumults as Diſaffected perſons; and They were thoſe indeed, which conſtituted the Malignant party, which they prayed againſt: and they found it much eaſier to tranſact any thing contrived and framed by ſuch a Committee, than originally offered and debated in either houſe, before the myſtery was underſtood by their Proſelytes, and when thoſe, who too well underſtood it, did render their deſigns ſometimes ineffectual.

The minds of men throughout the Kingdom being now prepared to receive all their dictates with reverence, and to obey all their Orders, and to believe that all their ſafety conſiſted in, and depended upon their Authority, and there being few within the Houſe, who had courage to oppoſe and contradict them, they ſent to the Lords to quicken them in the Bill, they had formerly ſent to them concerning removing the Biſhops out of their Houſe; which now, when there were ſo many of them Priſoners in the Tower, they preſumed would not meet with ſo great an oppoſition. In the Houſe of Commons they called to have the Bill read, which had layn ſo long there, the ſame that had been brought in by St. *John* for the ſettling the Militia of the Kingdom; to which they Now added " the putting all the Forts, Caſtles, and Garriſons into the hands of ſuch perſons as they could *Confide* in; which was the Expreſſion they uſed, when they had a mind to remove any man from a place, of which he was juſtly poſſeſſed, " that they could not *Confide* in him, which they thought to be reaſon enough to diſplace any man. When this Bill had been with much ado accepted and firſt read, there were few men, who imagined it would ever receive further countenance: but now there were few, who did not believe it to be a very neceſſary proviſion for the Peace and ſafety of the Kingdom. So great an impreſſion had the late proceedings made upon them; ſo that with little oppoſition it paſſed the Commons, and was ſent up to the Lords.

The Commons go upon St. John's *Bill of the Militia and paſs it.*

Upon the disbanding the late Army in the North, all the Artillery, Arms and Ammunition, that was provided for that ſervice, had been by the King's command ſent to *Hull*, where it ſtill remained; and his Majeſty intended it ſhould be kept there, for a Magazine upon all occaſions. And he had a little before theſe late paſſages ſent the Earl of *New-Caſtle* thither, with a private Commiſſion to be Governour thereof, aſſoon as it ſhould be fit to publiſh ſuch a Command; and in the mean time by his own Intereſt to draw in ſuch of the Country, as were neceſſary to Guard the Magazine. But nothing the King did in the moſt private manner, but was quickly known to thoſe, from whom it ſhould moſt have been concealed. And ſo the Earl of *New-Caſtle* was no ſooner gone,

but notice was taken of it; and he had not been three days in *Hull*, before the Houſe of Peers ſent for him, to attend the Service of that Houſe, which he had rarely uſed to do, being for the moſt part at *Richmond* attending upon the Prince of *VVales*, whoſe Governour he was. He made no haſte to return upon the Summons of the Houſe, but ſent to the King to know His pleaſure, who, not thinking matters yet ripe enough to make any Such declaration, appointed him to come away; upon which he appeared in the Houſe, without being asked where he had been.

Both Houſes move the King that the Magazine at Hull *might be removed to the Tower. They ſend both the* Hothams *to* Hull.

But both Houſes ſhortly after moved the King, " that the Magazine at *Hull* " might be removed to the Tower of *London*, which would be very neceſſary " for the quieting the minds of that Country, and abating the fears and jealou- " ſies in the hearts of very many, who did apprehend ſome deſign in the keep- " ing ſo much Ammunition in the Northern parts: and his Majeſty not giving them a ſpeedy Anſwer, they ſent down Sir *John Hotham*, whoſe Eſtate lay with- in three or four miles of *Hull*, and he had ſome command of the Train'd-bands, " to be Governour thereof, and to draw in ſuch of the Country as He thought " fit for the place. And tho' *Hotham* had concurred with them in all their vio- lent ways, yet they well knew, that he was not poſſeſſed with their Principles in any degree, but was very well affected in his judgment to the Government both in Church and State, but had been firſt ingaged by his particular malice againſt the Earl of *Strafford*, and afterwards terrified by their Votes againſt Sheriffs and Deputy Lieutenants; and therefore they ſent his Son, a Member likewiſe of the Houſe, and in whom they more Confided, to aſſiſt him in that Service, or rather to be a Spy upon his Father. And this was the firſt Eſſay they made of their Sovereign power over the Militia and the Forts, whilſt their Bill was yet depending, and was a ſufficient manifeſtation what they in- tended to do, when it ſhould be paſſed; towards which they made all the haſte they could, exerciſing the King's patience every day with ſome diſagreeable Meſſage to him, upon their Priviledges, and requiring " vindication, and re- " paration, and diſcovery of the perſons, who had promoted that Proſecution. And tho' the Council once a week attended upon his Majeſty at *Windſor*, he could not freely conſult with them upon what moſt concerned him.

In this ſad condition was the King at *Windſor*, fallen in ten days from a Heigth and Greatneſs that his Enemys feared, to ſuch a Lowneſs, that his own Servants durſt hardly avow the waiting on him. For tho', 'tis true, the acts of the Houſe of Commons, and the Tumults, were as great affronts to Majeſty, before this laſt Act upon the Members, as any that could be imagined poſſible to ſucceed, yet the Houſe of Peers was Then well diſpoſed, and might have been managed with a little patience, to have blaſted all the extravagances of the Com- mons. And the truth is, the greateſt extravagances appeared to the ſtanders by to be but the attempts of perſons in Deſpair, and the ſtruglings of men at the laſt Gaſp. And, without doubt, if the King could have had the patience to have ſate ſtill a Spectator of the Diſſentions between the two Houſes, and in- couraging the Lords, who were firm to him, and putting thoſe matters in- iſſue, wherein the Commons had invaded both His and the Lords Priviledges; if he had commanded his Council at Law, and the Judges, to have proceeded by the ſtrict rules of the Law againſt Seditious perſons at large, for Preaching and Printing againſt the peace of the Kingdom, and put the Commons Houſe either to have been quiet, whilſt their Champions were exemplarily puniſhed (which would have put a ſpeedy end to their Licence) or to have appeared the Champions for an Infamous Act againſt the Law and the Juſtice of the King- dom, their Juriſdiction would probably in a ſhort time have been brought within the Due limits, and the ſtouteſt Factor for the violent Party been glad to have compounded for an Act of Oblivion.

And I have heard from Credible perſons, that the Chief of that Faction afterwards confeſſed, that if that extraordinary Accident had not happened to give them New credit and reputation, they were ſinking under the weight of the Expectation of thoſe, whom they had deluded, and the Envy of thoſe, whom they had oppreſſed. I am ſure, they who out of Conſcience, and Loy- alty to their King and Country, diligently attended the publick Service, were ſtrangely ſurprized at the matter and manner of that accuſation; and foreſaw, from the minute, the infinite diſadvantage it would bring to the King's affairs.

Not

Not that they thought the Gentlemen accuſed, leſs Guilty; for their extream diſhoneſt acts in the Houſe were ſo viſible, that nothing could have been laid to their charge incredible: but the going through with it was a matter of ſo great difficulty and concernment, that every Circumſtance ought to have been fully deliberated, and the ſeveral parts diſtributed into Such hands, as would not have Shaken in the execution. And the ſaying, that the King had not competent perſons enough, whom he might truſt in ſo important a Secret (which I believe was true) is rather an argument, that the thing was not to be attempted at all, than that it was to be attempted in That manner; for whoever would have betrayed the truſt, would be ſure to find fault with it, when it was endeavoured without him, eſpecially if it miſcarried. The truth is, there was little reaſon to believe, that the Houſe of Peers would commit the Lord *Kimbolton* upon the Accuſation of Mr. Attourney in that conjuncture of time; and leſs that the Houſe of Commons would deliver up their Members to the Serjeant at Arms, when they ſhould be demanded; which was an Irregular thing, and implied unreaſonably, that They had ſome Power to Keep them, Who were Deſired to deliver them, Yet if the choice had been better made, and the ſeveral perſons firſt Apprehended, and put into diſtinct cloſe Cuſtodies, that neither any body elſe ſhould have heard from them, nor they one from another, all which had not been very difficult, the high Spirit of both Houſes might poſſibly have been ſo dejected, that they might have been Treated withall. But even that attempt had been too great for the Solitary State the King was in at that time; which was moſt naturally to have been improved by ſtanding upon his guard, and denying all that was in his Power to deny, and in Compelling his Miniſters to execute the Law in Thoſe Caſes, that Demonſtrably concerned the publick Peace.

The Committee at Grocers Hall *deſign a new Remonſtrance.*

The Committee at *Grocers-Hall*, very much exalted to find no oppoſition in any thing they deſired from both Houſes, reſolved to make what advantage they could of that Seaſon of their Power; and therefore not vouchſafing to return any Anſwer to the King's Meſſage of retractation, they concluded upon "a new Remonſtrance to be made of the State of the Kingdom; in which "they would preſent to the King's view the cauſes of the preſent evils and diſ-"tractions, and propoſe to him, by way of Advice, the Remedies, that in Their "opinion he was to apply to thoſe evils.

The matter they prepared for it.

"The Cauſes they agreed to be, the evil Council about the King and Queen, "diſpoſing all occurrences of State, and abuſing the King's Authority and "Power to the prejudice of Religion, the hazarding the publick Peace, and "ſtrengthening a malignant Party in the Kingdom; the influence, which the "Prieſts and Jeſuits had upon the affections and Counſels of the Queen, and "the admiſſion of her Majeſty to intermeddle with the Great Affairs of State, "and with the diſpoſing of places and preferments of the Higheſt concern-"ment in the Kingdom; whereby thoſe of great power and authority were "ingaged to favour Such deſigns, as were infuſed into her Majeſty by thoſe "of that Religion: the want of a due reformation of the Church Govern-"ment, and Liturgy then uſed; the want of a Preaching Miniſtry, and a "competent maintenance for them; the over ſtrict preſſing of divers "Ceremonies in the Liturgy and Rubrick, and the preſſing other Ceremonies "not injoined by Law; the Votes of the Popiſh Lords in the Houſe of "Peers, which was a hinderance of the reformation, and a protection of "the malignant Party; the preferring ſuch as had adhered to Delinquents, "and the diſpleaſure ſhewed againſt thoſe, who had been uſed as Witneſſes in "the Proſecution of them; the breaches of the Priviledges of Parliament, "and the managing the great affairs of the Realm in Cabinet Councils by men "unknown, and not publickly truſted; the preferring men to degrees of honour "and offices, and diſplacing others, in Parliament time, and without the con-"ſent of that Council, and many other particulars; to which they thought "theſe Remedies moſt natural, and proper to be applied.

"That all Privy Counſellors, and others of truſt and imployment beyond "the Seas, ſhould be removed from their Places, and only ſuch admitted, as "ſhould be recommended to the King by both Houſes of Parliament; and that "ſuch Counſellors and Officers, as ſhould be ſo diſplaced, and not again re-"commended, ſhould not have acceſs to the Courts of the King and Queen: "that all Prieſts, Papiſts, and ill affected perſons, tho' profeſſing the Proteſtant

" Religion, ſhould be removed from the Queen's perſon, and from having
" any Office or imployment under her, and that all her Servants ſhould take
" Such an Oath as ſhould be deviſed by Parliament; that he, or ſhe would not
" at any time directly, or indirectly by him, or Her ſelf, or any other, move
" or petition, or ſollicite her Majeſty in any matter concerning the State, and
" Government of the Kingdom, or concerning any favour or immunity to be
" conferred upon any Papiſts, or for any honour, preferment, or imployment
" of any perſon whatſoever.

" That the King would remove from about his own perſon, and the Queen's,
" and from both their Courts, Mr. *William Murrey*, Mr. *Porter*, Mr. *John Win-*
" *ter*, and Mr. *William Crofts*, being all perſons of evil fame, and Diſaffection
" to the publick Peace and proſperity of the Kingdom, and inſtruments of Jea-
" louſy and diſcontent between the King and the Parliament: that the King
" would not entertain any advice or mediation from the Queen in matters of
" Religion, or concerning the Government of any of his Dominions, or for the
" placing or diſplacing of any great Officers, Counſellors, Embaſſadors, or A-
" gents beyond the Seas, or any of his Servants attending his Royal perſon ei-
" ther in his Bed-Chamber, or Privy-Chamber, or attending the Prince, or
" any of the Royal iſſue after they ſhall attain to the age of Five years:

" That the Queen ſhould take a ſolemn Oath, in the preſence of both Houſes
" of Parliament, that ſhe would not hereafter give any Counſel, or uſe any
" mediation to the King, concerning the diſpoſing of any Offices or
" Places above mentioned, or at all intermeddle in any affairs of State
" or Government of the Kingdom: That all Officers and Counſellors, that
" ſhould be imployed in any of the Places before mentioned, ſhould take a ſolemn
" Oath, that they had not made uſe of any power or mediation of the Queen
" directly, or indirectly, for their preferment, or in obtaining any ſuch Place,
" or imployment: That the affairs of the Kingdom ſhould not be concluded
" or tranſacted by the advice of Private men, or by any unknown or unſworn
" Counſellors, but ſuch matters as were fit for the Council by the Privy Counſel-
" lors only, and ſuch as were fit for the Parliament by the Parliament only:

" That no perſon whatſoever, under the penalty of Treaſon, ſhould preſume
" to ſollicite, or further any propoſition for the Marriage of any of the King's
" Children with any Prince or Perſon of the Popiſh Religion; and that no
" Marriage for any of the King's Children ſhould be concluded with any
" Prince or Perſon whatſoever without the Conſent and Advice of both
" Houſes of Parliament: That none of the King's Children, except the
" Princeſs *Mary* then affianced, ſhould at any time go beyond the Seas with-
" out the conſent of both Houſes of Parliament; and that no perſon under
" penalty of High-Treaſon ſhould aſſiſt, or attend any of his Majeſty's Child-
" ren in any ſuch voyage beyond the Seas without the like conſent of both
" the Houſes of Parliament.

" That no Maſs, or Popiſh Service, ſhould be ſaid in the Courts of the
" King or Queen, or in the Houſe of any Subject of the Kingdom; and that
" more Laws ſhould be made againſt the Papiſts; and all the Prieſts, which
" were condemn'd, ſhould be forthwith executed. That the Votes of Popiſh
" Lords might be taken away; and a Reformation made of the Church Go-
" vernment, and Liturgy by the Parliament; and that no penalty ſhould be
" incurred for omiſſion of any Ceremony, till the Reformation ſhould be perfect:
" That all Delinquents ſhould be ſubject to ſuch penalties and forfeitures as
" ſhould be agreed on, and impoſed by Bill, in both Houſes of Parliament:
" That ſuch as ſhould be declared in Parliament to adhere to any Delin-
" quents, and had thereupon received any preferment from the King, ſhould
" be removed from ſuch preferment; and ſuch as ſhould be declared by both
" Houſes to have been imployed and uſed againſt Delinquents, and had there-
" upon fallen into the King's diſpleaſure, and been put from their Places,
" ſhould be reſtored to their Places, and his Majeſty's favour.

" That every perſon, who, being a Member of the Houſe of Commons in
" that Parliament, had been accuſed of any offence againſt that Houſe, and,
" the accuſation depending, had been called up to the Houſe of Lords in the
" quality of a Peer, ſhould by Act of Parliament be put out of that Houſe;
" and that hereafter no Member of the Houſe of Commons ſhould without

Their

" Their conſent be called up to be a Peer, except in caſe of Deſcent: That " no perſon, which ſhould hereafter be made a Peer of the Realm, ſhould " be admitted to have his Seat or Vote in the Houſe of Peers without the " conſent of both Houſes of Parliament: That thoſe Members of the Houſe " of Commons, who had this Parliament been called to the Houſe of Peers, " except in caſe of Deſcent, ſhould be excluded from giving their Votes in " the Houſe of Peers, unleſs both Houſes of Parliament ſhould aſſent there- " unto: That no Member of either Houſe of Parliament ſhould be preferred " or diſplaced, ſitting the Parliament, without the conſent of that Houſe, " whereof he was a Member: That Such of either Houſe as had been preferred " to any Place, or Office during the Parliament, might be put out of thoſe " Places:

"That the King would declare the Names of thoſe, who adviſed him to " the accuſation of the Members, and all the particulars that enſued upon " that accuſation; and that he would make publick Declaration and promiſe " in Parliament, never more to receive information from any man to the pre- " judice of any Member of either Houſe, for any thing done in that Houſe, " without diſcovering the Name of ſuch perſon, who gave him ſuch informa- " tion.

Theſe, and many other particulars of the like nature, were the reſults of that Committee at *Grocers-Hall*; which I inſert here, being the proper time of their Birth, that the world may ſee, what their Projections were in the Infancy of their viſible power and advantage, tho' they were not digeſted into avowed Propoſitions till long after, as the effects of riper diviſions, and fuller grown jealouſies. For by that time they had ſhaped and framed theſe Deviſes, they found the eyes of the People not ſo univerſally ſhut as they had been; and that the King's Coming to the Houſe of Commons, or the accuſing the Members, was not more ſpoken of than the Tumults, and the Driving the King out of *London*, and not ſuffering him to be quiet at *Hampton Court*. Then the Lords begun to take New courage, and tho' they were ſomewhat intoxicated with the fears and jealouſies concerning their Priviledges, yet they thought Treſpaſſes of that kind capable of reparation, and ſo were willing to receive any Overture from the King to that purpoſe. It was concluded therefore " the time was not yet ripe to do all at once, till more men were engaged, and reſolved, " with more patience to win their ground by inches.

The King continued at *Windſor* to expect the end, or the iſſue of this tempeſt; and finding that they hardly would take notice of his former Meſſages, but proceeded in the High-ways of Deſtruction, for he had advertiſement of their moſt ſecret combinations, reſolved to ſend ſuch a Meſſage to the two Houſes, whoſe United reputation was yet too great to ſtruggle with, as might at leaſt divide Thoſe, who deſired the publick Peace, from the Miniſters of Confuſion: and ſo on the 20th of *January* ſent this propoſition and Meſſage to them in writing "For preventing thoſe evils, which the manifold Diſtractions " threaten'd to the Kingdom; that They would with all ſpeed fall into a ſerious " conſideration of all thoſe particulars, which they held neceſſary, as well for " the upholding and maintaining the King's juſt and Regal Authority, and the " ſetling his Revenue, as for the preſent and future eſtabliſhment of Their " Priviledges, the free and quiet enjoying of their Eſtates, and fortunes, " the liberties of their perſons, the ſecurity of the true Religion now profeſ- " ſed in the Church of *England*, and the ſetling of Ceremonies in ſuch a " manner, as might take away all Juſt offence; which when they ſhould have " digeſted, and compoſed into one entire body, that ſo his Majeſty and them- " ſelves might be able to make the more clear judgment of them, it ſhould " then appear, by what his Majeſty would do, how far he had been from in- " tending, or deſigning any of thoſe things, which the too great Fears and " Jealouſies of ſome perſons ſeemed to apprehend; and how ready he would " be to equal, and exceed the greateſt examples of the moſt Indulgent Princes " in their Acts of Grace and favour to their People; ſo that if all the preſent " Diſtractions, which ſo apparently threaten'd the ruine of the Kingdom, did " not, by the Bleſſing of Allmighty God, end in a happy and bleſſed accommodati- " on, his Majeſty would Then be ready to call Heaven and Earth, God and " Man, to witneſs, that it had not failed on His part.

The King's propoſition and Meſſage to both Houſes Jan. 20. 1641

This Meſſage was received by the Lords with great ſigns of joy, inſomuch that they deſired the Commons to joyn with them in returning their thanks to his Majeſty for his Gracious offers, and to aſſure him, "that they would "forthwith apply themſelves to thoſe conſiderations, he propoſed. However the next day they joined together in a Petition to the King "that he would, "in very few days, ſend in his Proofs, and Proceed againſt the Members he "had accuſed of High-Treaſon, or declare Them to be Innocent, and Himſelf to be ill adviſed; to the which he Anſwered, "that he was ready to proceed "againſt them, but that there might be no new miſtakes in the way, and Form "of the proceedings, he deſired, that it might be firſt reſolved whether his "Majeſty were bound in reſpect of Priviledges to proceed againſt them by Im-"peachment in Parliament, or whether he were at liberty to prefer an Indict-"ment at Common Law in the uſual way, or whether he had his choice of "either; before that was reſolved his Majeſty thought it unuſual and unfit to "diſcover what Proof he had againſt them; but then he would give ſuch "ſpeedy direction for Proſecution, as might put a determination to the buſineſs.

Both Houſes Petition the King about the accuſed Members.

His Majeſtys Anſwer.

This gave them New offence and trouble; and if the King's Council had had the courage to have inſiſted upon the matter of Law, and the Lords would have given them reaſonable countenance, they would have been much puzled to have procured a Reſolution, that would have ſerved their purpoſes to all parts, and been content to have ſuſpended Their judgment that ſo the King might have ſuſpended His proſecution. For if the Judges had been called to deliver their opinions in point of Law, which they ought to have been, they could not have avoided the declaring, that by the known Law, which had been confeſſed in all times and ages, no Priviledge of Parliament could extend in the caſe of Treaſon; but that every Parliament man was Then in the condition of every other Subject, and to be proceeded againſt accordingly. In the next place, as they would never have ventured themſelves upon the Houſe of Peers under an Impeachment, and thereby made Them their Judges, which indeed was incongruous, every Subject being to be tryed for his Life *per Pares, vel per Legem terræ*, to both which the Lords, and the Impeachment, were directly oppoſite; ſo they would leſs have truſted an Indictment at Law, and a well choſen ſober Jury, who had been bound to follow their evidence of Fact, and were not Judges of the Law, which was ſevere in any Conſpiracy againſt the Crown, or the Perſons of King or Queen.

But having ſhut the doors againſt any mention of Law, they made no ſcruple of reſolving, and anſwering his Majeſty, "that they were firſt to ſee the evidence "he had to prove the guilt, before they could give any direction for the man-"ner of the Proſecution, and proceeding; which they grounded upon a Maxime, they had but lately eſtabliſhed, tho' never till then heard of; "that no Mem-"ber of Parliament, for what Offence ſoever, could be Arreſted, or proceeded "againſt but by the conſent of that Houſe, of which he was a Member; and then "they ſaid, they could not give, or deny their conſent by any other meaſure than "the Knowledge of the Crime and Proof, upon which ſuch Member ſtood accuſ-ed. Which Concluſion had been reaſonable had the Premiſes been juſt; whereas the argument was to be inverted, that their conſent was not to be asked, becauſe they had no Cogniſance of the Crime, of which their Members were accuſed, nor were Judges whether their accuſation were valid in Law, or ſufficiently proved in Fact.

Obſervations touching Priviledge of Parliament.

It is not to be believed how many ſober, wellminded men, who were real Lovers of the peace of the Kingdom, and had a full ſubmiſſion, and reverence to the Known Laws, were impoſed upon, and had their Underſtandings confounded, and ſo their Willsperverted, by the mere mention of Priviledge of Parliament; which, inſtead of the plain, and intelligible notion of it, was by the dexterity of thoſe Bouteſeus, and their under-Agents of the Law, and the Supine Sottiſhneſs of the People, render'd ſuch a myſtery, as could be only explained by Themſelves, and extended as far as they found neceſſary for their occaſions, and was to be acknowledged a good reaſon for any thing, that no Other reaſon could be given for. "We are, ſay they, and have been allways confeſſed, the only Judges of our "own Priviledges; and therefore whatſoever we declare to be our Priviledge, "is ſuch: otherwiſe whoſoever determines that it is Not ſo, makes himſelf "Judge of that, whereof the Cogniſance only belongs to Us. And this Sophiſ-tical Riddle perplexed many, who, notwithſtanding the deſperate Conſequence

they

they ſaw muſt reſult from ſuch Logick, taking the firſt Propoſition for true, which, being rightly underſtood, is ſo, have not been able to Wind themſelves out of the Labyrinth of the Concluſion: I ſay the Propoſition Rightly underſtood: They are the only Judges of their own Priviledges, that is, upon the Breach of thoſe Priviledges, which the Law hath declared to be their own, and what puniſhment is to be inflicted upon ſuch Breach. But there can be no Priviledge, of which the Law doth not take notice, and which is not pleadable by, and at Law.

The truth and clearneſs of this will beſt appear by Inſtance: If I am Arreſted by Proceſs out of any Court, I am to plead in the Court, that I am a Member of Parliament, and that, by the Priviledge of Parliament, my perſon ought to be free from Arreſts. Upon this Plea the Judge is bound to diſcharge me; and if he does not, he is a Criminal, as for any other treſpaſs againſt the Law: but the puniſhing the Perſon, who hath made this infringement, is not within His power, but proper to that Juriſdiction, againſt which the contempt is; therefore that Houſe, of which I am a Member, upon complaint made of ſuch an Arreſt, uſually ſends for the perſons culpable, the party at whoſe Suit the Arreſt is made, and the Officers which executed it, and commits them to Priſon, till they make acknowledgement of their Offence. But that Houſe never ſends, at leaſt never did till this Parliament, any Order to the Court, out of which the Proceſs iſſued, to ſtay the proceedings at Law, becauſe the Priviledge ought to be legally pleaded. So, after the Diſſolution of Parliament, if I am Arreſted within the days of Priviledge, upon any plea of Priviledge the Court diſcharges me; but then the Party that Arreſts me, eſcapes puniſhment till the next Parliament, the Judge having no more power to commit the man, that ſued or arreſted me, than he hath to impriſon a man for bringing an Action at Law, when he hath no good title; neither is He Judge of the contempt.

Again, if a man brings an Information, or an Action of the Caſe, for words ſpoken by me, and I plead, that the words were ſpoken by me in Parliament, when I was a Member there, and that it is againſt the Priviledge of Parliament, that I ſhould be impleaded in any other place, for the words I ſpoke there; I ought to be diſcharged from this action or Information, becauſe this Priviledge is known, and pleadable at Law; but that Judge can neither puniſh, nor examine the breach of Priviledge, nor Cenſure the contempt. And this is the true and proper meaning of the old received Axiom, that they are Judges Only of their own Priviledges.

And indeed theſe two of freedom from Arreſts for their Perſons (which originally hath not been of that latitude to make a Parliament a Sanctuary for Bankrupts, where any perſon out-lawed hath been declared incapable of being returned thither a Member) and of liberty of Speech, were accounted their chiefeſt Priviledges of Parliament. For their other, of Acceſs to the King, and correſpondence by Conference with the Lords, are rather of the Eſſence of their Councils, than Priviledges belonging to them. But that their being Judges of their Priviledges ſhould qualify them to make New Priviledges, or that their Judgment ſhould Create them ſuch, as it was a doctrine never before Now heard of, ſo it could not but produce all thoſe Monſtrous effects we have ſeen; when they have aſſumed to ſwallow all the Rights and Prerogatives of the Crown, the Liberties and Lands of the Church, the Power and Juriſdiction of the Peers, in a word, the Religion, Laws, and Liberties of *England*, in the bottomleſs and inſatiable Gulph of their own Priviledges. And no doubt theſe invaſions, on pretence of Priviledge, will hereafter be judged to have been the moſt unparallelled, and capital Breach of thoſe Priviledges, that had ever yet been attempted.

The Lords and Commons differ about addreſſing for removing Sir John Byron *from the Tower.*

In the Addreſs, which the Houſe of Commons prepared for acknowledgement of the King's Grace and favour in his Meſſage of the twentieth of *January*, they had deſired, "that, for a ground of their Confidence, and removal of "Jealouſies, that they might apply themſelves to give his Majeſty ſatisfaction "in the Method he propoſed, his Majeſty would preſently put the Tower of "*London* into the hands of ſuch a perſon, as Both Houſes ſhould recommend to "him, in which the Lords differed with them; as well for that the diſpoſal of the cuſtody thereof was the King's peculiar Right and Prerogative, as likewiſe that his Majeſty had committed the charge thereof to Sir *John Byron*, a

perſon of a very Ancient family, an honourable extraction, and good Fortune, and as unblemiſhed a Reputation, as any Gentleman of *England*. The Commons, much troubled that the Lords ſhould Again take the courage to diſſent from them in any thing, reſolved to preſs the King upon their Own ſcore, and to get the recommendation of ſo great an Officer to Themſelves.

The Commons by themſelves Petition the King to do it, and to put all the other Forts and the Militia into the hands of Confiding men.

And therefore on the ſix and twentieth day of *January*, they ſent a Petition to him in the name of the Knights, Citizens, and Burgeſſes, of the Commons Houſe aſſembled in Parliament; in which they took notice "of the gracious "Meſſage from his Majeſty of the twentieth inſtant, for which they returned "moſt humble thanks, reſolving to take it into ſpeedy and ſerious conſidera-"tion; and ſaid, to inable them with ſecurity to diſcharge their duties there-"in, they had deſired the Houſe of Peers to joyn with them in "humbly beſeeching his Majeſty to raiſe up unto them a ſure ground "of Safety and Confidence, by putting the Tower, and other principal Forts "of the Kingdom, and the whole Militia thereof, into the hands of Such "perſons as his Parliament might Confide in, and as ſhould be recommended "unto him by both Houſes of Parliament; that, all Fears and Jealouſies be-"ing laid aſide, they might with chearfulneſs proceed to ſuch Reſolutions, "as they hoped would lay a ſure foundation of Honour, Greatneſs, and Glory "to his Majeſty, and his Royal Poſterity, and of happineſs and proſperity un-"to his Subjects throughout all his Dominions; wherein the Houſe of Peers "had refuſed to joyn with them. But they notwithſtanding no way diſcour-"aged, but confiding in his Majeſty's goodneſs to his People, did therefore "make their humble Addreſs to him to beſeech him, that the Tower of "*London*, and other principal Forts and the whole Militia of the Kingdom, "might be put into the hands of ſuch perſons as ſhould be recommended to "him by the Houſe of Commons; not doubting but they ſhould receive a "Gracious, and ſpeedy Anſwer to that their humble Deſire, without which, "in all Humane reaſon, the great Diſtractions of the Kingdom muſt needs "overwhelm it with miſery and Ruine.

The King was not troubled at the receipt of this Petition, glad, that ſince they could not be brought to ſuch a degree of Reaſonableneſs, as might make up all breaches, they would be ſo peremptorily Unreaſonable as might probably ſever Thoſe from them, who were not ſo Deſperate as themſelves; and he hoped, that when the people ſhould obſerve that this graſping of the Militia of the Kingdom into their own hands, as an Expedient for the compoſing their high grown Fears and Jealouſies, was no more than they deſired the Summer before, when Sir *Arthur Haſlerig* brought in his Bill into the Houſe of Commons, which is before remembred, when that title of Fears and Jealouſies was not diſcovered; and when the Peers ſhould obſerve, that the Houſe of Commons inſolently Demanded, by their own Single Suffrage, the deputing men to Places of that vaſt Importance, they would both conclude, that thoſe immodeſt Askers were not only fit to be Denied, but Reformed: yet believing that Real and Juſt fears might grow up, to diſcountenance and ſuppreſs thoſe Imaginary ones, his Majeſty vouchſafed a very ſoft and gentle Anſwer to that Petition; and told them, "that "he hoped his gracious Meſſage would have produced ſome ſuch Overture, "as, by offering what was fit on Their parts to do,, and by asking what "was proper for Him to Grant, might have begot a mutual Confidence in "each other. Concerning the Tower of *London*, that he did not expect, "having preferred a perſon of a known Fortune, and unqueſtionable Repu-"tation, to that Truſt, that he ſhould have been preſſed to remove him "without any particular Charge objected againſt him; however, that if, up-"on due examination, any particular ſhould be preſented to him, whereby "it might appear he was miſtaken in his good opinion of that Gentleman, "and that he was unfit for the Truſt committed to him, he would make "no ſcruple of diſcharging him; otherwiſe, he was obliged in juſtice to him-"ſelf, to preſerve his Own work, leaſt his Favour and good Opinion might "prove a Diſadvantage and Misfortune to his Servants, without any other "Accuſation; of which he hoped his Houſe of Commons would be ſo tender, "as of a buſineſs, wherein his Honour was much concerned, and if they found "no material Exceptions againſt that perſon, they would rather endeavour "to ſatisfy and Reform the Fears of other men, than, by complying with them,

His Majeſtys Anſwer.

" them, preſs his Majeſty to any thing, which did ſo much reflect upon his " Honour, and Juſtice.

" For the Forts and Caſtles of the Kingdom, that he was reſolved they ſhould al- " ways be in ſuch hands, and only in ſuch, as the Parliament might ſafely Confide in; " but the Nomination of any perſons to thoſe Places, being ſo principal and " inſeparable a flower of his Crown, veſted in him, and derived to him from his " Anceſtors by the fundamental Laws of the Kingdom, he would reſerve to " Himſelf; in beſtowing whereof, as he would take care that no corrupt or " Siniſter courſes ſhould prevail with him, ſo he was willing to declare, that " he ſhould not be induced to expreſs that Favour ſo ſoon to any perſons, as " to Thoſe, whoſe good Demeanour ſhould be Eminent in, or to his Parlia- " ment. And if he then had, or ſhould at any time, by miſinformation con- " fer ſuch a Truſt upon an Undeſerving perſon, he was, and would allways " be, ready to leave him to the Wiſdom and Juſtice of the Parlia- " ment.

" For the Militia of the Kingdom, which by the Law was Subject to no " command but of his Majeſty, and of authority lawfully derived from him, " he ſaid, when any particular courſe for ordering the ſame ſhould be conſi- " dered, and digeſted, and propoſed to him, he would return ſuch an Anſwer " as ſhould be agreeable to his Honour, and the ſafety of his People, he be- " ing reſolved only to deny thoſe things, the Granting whereof would alter " the fundamental Laws, and endanger the very foundation, upon which the " Publick happineſs and welfare of his people was founded and conſtituted, " and which would nouriſh a greater, and more deſtructive Jealouſy between " the Crown, and the Subject, than any of thoſe, which would ſeem to be taken " away by ſuch a ſatisfaction.

" He ſaid, he was not willing to doubt, that His having granted more " than ever King had granted, would perſwade Them to ask more than ever " Subjects had asked: but if they ſhould acquaint him with the particular " grounds of their doubts and their Fears, he would very willingly apply Re- " medies proportionable to thoſe fears; for he called God to witneſs, that the " preſervation of the publick Peace, the Law, and the liberty of the Subject, " was, and ſhould allways be, as much his care, as his own life, or the lives " of his deareſt Children.

" And therefore he did conjure them by all the Facts of avour they had " received from him this Parliament, by their hopes of future happineſs in " his Majeſty, and in one another, by their love of Religion, and the Peace " of the Kingdom, in which, he ſaid, that of *Ireland* was included, that they " would not be tranſported by Jealouſies, and apprehenſions of Poſſible dan- " gers, to put themſelves, or his Majeſty, into Real and Preſent inconveniences; " but that they would ſpeedily purſue the way propoſed by his former " Meſſage, which, in Humane reaſon, was the only way to compoſe the " Diſtractions of the Kingdom, and, with God's bleſſing, would reſtore a great " meaſure of felicity to King and People.

This Anſwer being not only a denial, but ſuch an expoſtulation as would render their Counſels of leſs reverence, to the people, if upon thoſe reaſons they ſhould recede from what they had with that confidence and diſdain of the Houſe of Peers demanded of the King; they therefore reſolved to ſet up their reſt upon that ſtake, and to go through with it, or periſh in the attempt. And, to this purpoſe, they again muſter up their Friends in the City, and ſend their Emiſſaries abroad to teach the people a new language. All Petitions muſt now deſire, " that the Kingdom might be put into a poſture of defence, and " nothing elſe would ſerve to defend them from the many Plots and Conſpi- " racies againſt them or ſecure them from their own Fears and Jealouſies. More Petitions were preſented to the Houſe of Commons by ſome Citizens of *London*, in the name of thoſe Merchants, that uſually traded to the Mint with Bullion who pretended " that their Fears and Jealouſies were ſo great, that they durſt not " carry their Bullion to the Tower, being not ſatisfied with the preſent Lieute- " nant there; and therefore deſired that he might be removed; and more to " the like purpoſe.

They had wholely undertaken the managing of the War in *Ireland*, and

really, for many reaſons, neither did uſe, nor deſired to uſe, any great expedition in that work; yet having with great induſtry infuſed into the minds of the people at leaſt a Suſpicion that the Court favoured that Rebellion, they allways made uſe of the ſlowneſs in thoſe proceedings to the King's diſadvantage.

The Commons deſire to borrow money of the City.

About that time, they had deſired the City to furniſh them with one hundred thouſand pounds, for the levying, and accommodating forces to be ſent into that Kingdom, which gave the Common Council, where ſuch loans were allways tranſacted; opportunity to return their opinions, and advice upon the general State of Affairs. They ſaid, "they could lend no more money by reaſon of thoſe

The Common Council's Anſwer.

"obſtructions, which threaten'd the Peace of this Kingdom, and had allready "render'd it even deſperate: that the not paſſing the Bill againſt Preſſing of "Soldiers, which ſtill depended with the Lords, upon thoſe reaſons formerly "mentioned at large, put many men into fears, that there was ſome deſign "rather to looſe That Kingdom, and to conſume This in the loſs of it, than "to preſerve either the one, or the other; and that the Rebels were grown "ſo ſtrong there, that they made account ſpeedily to extirpate the Britiſh Nation in that Kingdom; and that they intended Then, as they allready bragged, to come over, and make This the Seat of the War.

"That the not putting the Forts into ſuch hands, in whom the Parliament "might Confide, the not ſetling the Kingdom in a poſture of defence, the not "removing the preſent Lieutenant of the Tower, and putting ſuch a perſon into that place, as might be well approved by the Parliament, could not but "overthrow Trading more and more, and make moneys yet more ſcarce in the "City and Kingdom. That the miſunderſtanding between the King and Parliament, the not vindicating the Priviledges thereof, the charging ſome Members of Treaſon to the deterring of others from diſcharging their Duties, and "to the deſtroying the very Being of Parliaments, did exceedingly fill the minds "of men well affected to the publick, with many fears and diſcouragements; "and ſo diſable them from yielding that chearful aſſiſtance, which they would "be glad to afford. That, by this means, there was ſuch a decay of Trading, "and ſuch ſcarcity of money, neither of which could be cured, till the former "evils were removed, as it was like, in very ſhort time, to caſt innumerable "multitudes of poor Artificers into ſuch a depth of poverty and extremity, as "might enforce them upon ſome dangerous and deſperate attempts, not fit to "be Expreſſed, much leſs to be Juſtified; which they left to the Houſe ſpeedily to conſider, and prevent. Theſe evils, under which they did exceedingly "labour and languiſh, they ſaid, did ſpring from the imploying of ill affected "perſons in places of Truſt and honour in the State, and near to the perſon of "the King; and that they were ſtill continued by means of the Votes of Biſhops, "and Popiſh Lords, in the Houſe of Peers. And ſo having faithfully repreſented, they ſaid, the true reaſons, which really enforced them to return that "Anſwer, they craved leave to proteſt before God, and the High Court of "Parliament, that if any further miſeries befell their dear Brethren in *Ireland*, "or if any miſchief ſhould break in upon this Kingdom, to the indangering or "diſturbing the peace thereof, it ought not to be imputed to Them; but only "to ſuch, who ſhould endeavour to hinder the effectual and ſpeedy cure of thoſe "evils before recited, which did ſo much diſable and diſcourage them from doing that, which the Houſe had deſired of them.

Petitions likewiſe from ſeveral Counties concerning the Militia.

At the ſame time, were preſented other Petitions, ſubſcribed by many thouſand hands, and in the names of the Knights, Gentlemen, and Freeholders, and other Inhabitants, of the Counties of *Middleſex*, *Eſſex*, and *Hartford*; all which ſeverally inveighed againſt the Malignant Party, which render'd the good endeavours of the Houſe of Commons fruitleſs; "deſired that the Votes of the "Biſhops, and Popiſh Lords, might be taken out of the Houſe of Peers; that "they might be put into a poſture of defence, and the Forts, and Caſtles of the "Kingdom, into ſuch hands as the Parliament might Confide in; that ſo *Ireland* might be relieved, and This Kingdom made happy. One of them adding, that the Malignant Party of Prelates and Papiſts, and their adherents, "were inconſiſtent with the happy ſucceſs of the Parliament. Theſe Petitions, and the Anſwer of the Common Council of *London*, were thought ample materials for a Conference with the Lords, who might be thereby remember'd of their Duty; and to that purpoſe Mr *Pym* delivered them at a Conference, and after

after they were read, told them, " that their Lordſhips might in thoſe Petitions hear the voice, or rather the Cry of all *England*; and that they were not to wonder if the urgency, the Extremity of the condition we were all in, did produce ſome earneſtneſs and vehemency of expreſſion more than ordinary; the agony, terrour, and perplexity, in which the Kingdom laboured, was univerſal, all parts were affected with it; and therefore in thoſe Petitions they might obſerve the Groans and miſerable complaints of all. After a long diſcourſe of the great and notorious dangers the Kingdom was in, by Invaſions threaten'd from abroad, and Inſurrections from within, he told them, " the Obſtructions, that had brought them into that Diſtemper, were principally the obſtruction of Reformation in matters of Religion; and that there was never Church or State afflicted with more grievances of that kind, than we had been; and that tho' they were partly eaſed and diminiſhed by the wiſdom of the Parliament, yet many ſtill remained; and as long as the Biſhops, and the corrupt part of the Clergy, continued in their power, there would be little hope of freedom, either from the ſenſe of thoſe that continued, or the fear of thoſe, which were removed. And of That obſtruction, he ſaid, he muſt clear the Commons, who were in no part guilty of it, Some good Bills they had allready paſſed, and others were in preparation, and might have been paſſed before that time, if they had not found ſuch ill ſucceſs in the other Houſe: whatſoever miſchief that obſtruction ſhould produce, They were free from it, they might have their part of the Miſery, they could have none in the Guilt or Diſhonour.

Mr. Pym *delivers the Petitions to the Lords at a Conference.*

" He told them there was a great obſtruction in Trade, which brought food and nouriſhment to the Kingdom; and then having inlarged himſelf with enumeration of the notable benefits the Kingdom received by the fullneſs of Trade, he ſaid, he muſt proteſt, the Houſe of Commons had given no cauſe to That obſtruction: They had eaſed Trade of many burthens, and heavy taxes, and had freed it from many hard reſtraints by Patents and Monopolies; they had ſought to put the Merchants into ſecurity and confidence in reſpect of the Tower of *London*, that ſo they might be invited to bring in their Bullion to the Mint, as heretofore they had done; they were no way guilty of the troubles, the Fears, and Publick dangers, which made men withdraw their ſtocks, and keep their money by them, to be ready for ſuch ſuddain exigents, as, in thoſe great diſtractions, they had too great cauſe to expect.

" There was an obſtruction, he ſaid, in the relief of *Ireland*, but he muſt declare the Commons were alltogether innocent of any neglect therein; they had agreed to the Levies of men and money, and, from time to time, done all for the furtherance thereof, tho' in the midſt of many diſtractions and diverſions; but the want of Commiſſions for levying men, that was the Bill about Preſſing, and diverſe other impediments, had been the cauſes of That obſtruction. Nay, he ſaid, he did not only find impediments to themſelves, but incouragement to the Rebels; for many of the chief Commanders now in the head of the Rebels, after both Houſes had ſtopp'd the Ports againſt all Iriſh Papiſts, had been ſuffer'd to Paſs, by his Majeſtys immediate Warrants, much to the diſcouragement of the Lords Juſtices and Council there, which were procured by ſome evil inſtruments too near his Royal perſon, and, they believed, without his Knowledge and intention.

" He ſaid, there was an obſtruction in providing for the defence of the Kingdom, that they might be inabled to reſiſt a forreign Enemy, and to ſuppreſs all civil Inſurrections: what endeavour they had uſed to remove them, but hitherto without that ſucceſs and Concurrence, which they expected, and where their Stop had been, and upon what grounds they might proclaim their own Innocency and faithfulneſs in That particular, they deſired no other witneſſes but their Lordſhips.

" He told them, the evil Influences, which had cauſed that Diſtemper, were the evil Councils about the King, the great power, that a Factious and Intereſſed Party had in Parliament by the continuance of the Votes of the Biſhops, and Popiſh Lords, in their Lordſhips Houſe, and the taking in of others out of the Houſe of Commons, and otherwiſe to increaſe their ſtrength, the fomenting a Malignant Party throughout the Kingdom, the Jealouſies between the King, and his Parliament. And after many bitter and Seditious

" ous expreſſions of the Court, and of all thoſe, who were not of His mind, he con-
" cluded, " that he had nothing to propoſe to their Lordſhips by way of re-
" queſt or deſire from the Houſe of Commons; he doubted not, but their
" Judgments would tell them what was to be done; their Conſciences, their
" Honours, their Intereſts, would call upon them for the doing of it. The
" Commons would be glad to have their help and Concurrence in ſaving the
" Kingdom; but if their Lordſhips ſhould fail, it ſhould not diſcourage Them
" in doing Their duty; and whether the Kingdom be loſt, or ſaved, they ſhould
" be ſorry, that the ſtory of this preſent Parliament ſhould tell poſterity, that,
" in ſo great danger and extremity, the Houſe of Commons ſhould be inforced
" to ſave the Kingdom Alone, and that the Houſe of Peers ſhould have no part
" in the Honour of the preſervation of it, they having ſo great an intereſt in
" the good ſucceſs of thoſe endeavours, in reſpect of their great Eſtates and
" high degrees of Nobility.

His Speech printed by Order.

Aſſoon as this Conference was ended, the Speaker of the Houſe of Commons was appointed to give Mr. *Pym* ſolemn thanks for his ſo well performing that ſervice, and to require him to deliver his Speech in writing into the Houſe, that it might be printed; which was done accordingly, to the end that the people might underſtand, beſides thoſe reproaches upon the King, how negligent the Houſe of Peers were of their welfare and ſecurity.

The ſame day and hour after that Conference, a great number of people, in the name of the Inhabitants of the County of *Hartford*, preſented a Petition to the Houſe of Peers; in which, amongſt other particulars, " they complained
" of the delay of putting the Kingdom into a poſture of War for their better de-
" fence, and the want of complyance by that Honourable Houſe with the
" Houſe of Commons, in entertaining thoſe many good Motions, and Paſſing
" thoſe neceſſary Bills preſented to them from that Houſe for the Common
" Good. And therefore they deſired them, for the better removing of all
" the cauſes and ſprings of their Fears and troubles, that the evil Counſellors,
" and others hindering the Publick Good, might be taken from his Majeſty,
" and the voting of the Biſhops, and Popiſh Lords, to be removed out of
" that Honourable Houſe: And that the Petitioners, who would be ever rea-
" dy to hazard their Lives and Eſtates for the defence of the King and Parlia-
" ment, the Priviledges of the ſame, and in ſpecial thoſe noble Lords and
" Gentlemen in both Houſes, whoſe endeavours were for the Publick Good,
" might have liberty to Proteſt againſt all thoſe, as Enemys to the Kingdom,
" who refuſed to joyn with thoſe Honourable Lords and the Houſe of Com-
" mons, for the putting the Kingdom into a way of Safety, under the Com-
" mand of ſuch perſons, as the Parliament ſhould appoint. But neither this, nor any of the other Proceedings were reſented by the Houſe of Peers, tho' their Priviledges were not only invaded, but the very Freedom and liberty of Parliament abſolutely taken away and deſtroyed thereby.

When the Houſe of Commons found that none of theſe extraordinary ways would throughly Subdue the Houſe of Lords, but that, tho' they had very ſturdy Champions there, the Major part, albeit the Biſhops, and all the Recuſant Lords were driven from thence, ſtill oppoſed them, whereby neither the Bill for the taking away the Biſhops Votes, nor about Preſſing, could paſs, and that they peremptorily ſtill refuſed to joyn in the buſineſs of the Militia; they found a New way, as Unpracticed and as unnatural as any of the former, whereby they would be ſure to have an influence upon the Houſe of Peers. It is an old Cuſtom, and Priviledge of that Houſe that upon any ſolemn debate, whoſoever is not ſatisfied with the concluſion and judgment of the Houſe, may demand leave to enter his Proteſtation, which muſt be granted. The Original of this was in Jealous times, when men deſired, for avoiding the ill conſequence of any Act there, that their Diſſents might appear; and was very ſeldom practiced, but when they conceived Religion, or the Crown, trenched upon; inſomuch as you ſhall not find, in the Journals of many parliaments, one Proteſtation enter'd; and when there was any, there is no more in the Records, than, after the Reſolution of the Houſe is enter'd, " that ſuch a Lord deſired that his Proteſtation
" or diſſent might be enter'd: and oftentimes when ſeveral have diſſented from the general opinion, not above one or two have enter'd their Proteſtation. But ſince this Parliament, as they alter'd this Cuſtom from caſes of high Concern-

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ment to the moſt trivial Debates, the Minor part ordinarily entering their Proteſtation, to the end that their opinions might be taken notice of, and who were oppoſite to them, whereby the Good and Bad Lords were known and publiſhed; ſo they altered the form, and inſtead of ſhort general entries, cauſed the matter of Debate to be ſummed up, and thereupon their Proteſtation, " that " They were not to be anſwerable for any inconveniences or miſchiefs, that " ſhould befall the Common-wealth by reaſon of this or that Reſolution. So that from an Act for the particular Indemnity of the perſon, that made it, it grew ſometimes to be a reproaching and arraigning the ſenſe of the Houſe by any Factious number that diſagreed. Then becauſe the Houſe of Peers is a Court of Record, they concluded, " that any man upon any occaſion might peruſe the Journals; and ſo every night the Houſe of Commons could ſee how the Debates had been managed and carried all the day, and take publick notice, and make uſe of it accordingly, which they could not do of thoſe diſcourſes they received from their Confidents; for ſupplying whereof this Unjuſtifiable method was found out. For tho' it is a Court of Record, the higheſt Court, and the Acts and judgments of Parliament are Records, to which the Subject may upon all occaſions reſort, yet they ought not to make uſe of that Liberty in order to queſtion any words ſpoken, or Acts done, and remember'd There; of which if the Lords are not the only Judges, their Priviledges are much leſs than the Commons in-truth have, and may Juſtly claim.

It happened, about this time, that upon ſome Overture in the Lords Houſe, which pleaſed them not, the Violent Party there, in a diſorderly manner, cried out, *Adjourn*, *Adjourn*, being not willing the matter ſhould Then come into debate; others were not willing that the Houſe ſhould Adjourn. The Duke of *Richmond* troubled at that Tumultuary and indirect proceeding, ſaid, without directing himſelf to the Speaker, " if they would Adjourn, he wiſhed it might be for ſix " Months, or words to that effect; upon which ſome of the other party imme- " diately Moved, that the Houſe might Not riſe, and that the Duke would ex- " plain himſelf, and anſwer the making ſuch a motion, as being granted, would " be deſtructive to the Common-wealth. The Duke ſaid, " he made no Motion, " but uſed that Expreſſion, to ſhew his diſlike of the other Motion to Adjourn at " that time, when there was buſineſs in agitation of great Concernment; and " that, when he ſpoke, all men being upon their feet, and out of their places, " he conceived the Houſe had been Up. Upon this he was required to withdraw; and then they, who had long looked upon him with great envy and animoſity, as the only great perſon, and Officer at Court, who had diſcountenanced their power, and their ſtratagems, and had with notable courage allways oppoſed their extravagances, and Servile complying with the Houſe of Commons, and ſubmitting to the Tumults, and had with ſingular Conſtancy preſerved his duty and fidelity to his Majeſty unviolated, inveighed againſt that Motion, " as of " too Serious a nature to be made a Jeſt of, and fit to be cenſured as moſt " pernicious to This Kingdom, and deſtructive to *Ireland*; the War whereof " could not proceed, if the Parliament ſhould have been Adjourned for ſix " Months, as his Lordſhip had propoſed.

On the other ſide, it was alledged, " that the Motion had never been made " to the Houſe; and therefore the ought no more to queſtion, or take notice of " it, than of every light or frolick diſcourſe or Expreſſion, that negligently or " Caſually fell from any man; which would take away all liberty of Converſation. " However, that if it had been Seriouſly, and formally made, it could be no " Crime, it being the neceſſary liberty and Priviledge of every Member, " to make any Motion he thought in His Judgment fit, which the Houſe " would approve, or reject, as it found reaſonable. And that, ſince it was as " much in the Houſes power to Adjourn for ſix Months, as for ſix Days, it was " as lawful to move the one, as the other; of which there could not be the leaſt " inconvenience, becauſe the Houſe would be ſure to reject it, if it were not found " proper. After a very fierce, and eager debate, in which much bitterneſs and Virulency was expreſſed, it was Reſolved by the Major part, " that the Duke had committed no offence; and ſo he was as regularly abſolved as was poſſible. Hereupon the Earls of *Northumberland*, *Pembrook*, *Eſſex*, and *Holland*, who thought the Duke's affection and duty to his Maſter a Reproach, and his intereſt prejudicial to Them, with the reſt of that Party enter'd their Proteſtation; " that whereas ſuch a Motion had been made by the Duke of *Richmond*, and

" upon being queſtioned for the ſame, he had been acquitted by the Major part;
" They were free from the miſchiefs or inconveniences, which might attend
" the not puniſhing of an Offence tending ſo much to the Prejudice of King
" or Kingdom.

This Proteſtation, by the advice of that Nights meeting, was, the next day, taken notice of in the Houſe of Commons, and the matter it ſelf of the Motion inlarged upon, by all poſſible and Rhetorical aggravations, concerning the Perſon, and his Intereſts, according to the licence of that Houſe, and that People. It was ſaid, " here was an evil Councellor, that had diſcovered himſelf,
" and no doubt had been the Author of many of thoſe evil Counſels, which
" had brought that trouble upon us; that he had received his education in *Spain*,
" and had been made a Grandee of that Kingdom, and had been ever ſince no-
" toriouſly of that Faction; that his Siſters were Papiſts, and therefore his
" affection was to be queſtioned in Religion; that, from the beginning of this
" Parliament, he had been oppoſite to all their proceedings, and was an enemy
" to Reformation; that he had vehemently oppoſed the Attainder of the Earl
" of *Strafford*; was a friend to Biſhops; and now, to prevent any poſſibility of
" Reformation, which could not be effected without the Concurrence of the
" two Houſes, had deſperately Moved in the Houſe of Peers, where he had a
" great Faction, that it would Adjourn for ſix Months; in which time the Malig-
" nant Party, of which he might well be thought the Head, and had the
" greateſt influence upon the King's affections, would prevail ſo far, that all
" future hopes would be render'd deſperate, and the Kingdom of *Ireland* be
" utterly loſt, and poſſeſſed by the Papiſts: that they were therefore to take
" this opportunity, which God had given them, to remove ſo Malignant and
" dangerous a perſon from the King, and one ſo ſuſpected, from ſo important
" a Charge as the Cinque Ports, of which the Duke was Lord Warden, and
" to ſend to the Lords to joyn with them in a deſire to the King to that
" purpoſe.

On the other ſide, it was objected, that " whilſt they were ſo Sollicitous
" for their own Priviledges, and ſenſible of the breach and violation of them,
" they could not more Juſtify thoſe, who had been the Adviſers of ſuch
" breaches, than by offering the like treſpaſs to the Priviledges of the Peers:
" that the life of that Council depended on the liberty of Speech, and where
" there were ſo different minds, there muſt be different expreſſions, and if one
" Houſe might take notice what the other Houſe ſaid, or did, within Thoſe
" walls, the Lords would as well queſtion Their Members, as they did now
" one of the Lords; which would take away all freedom of debate: that they
" could not examine the Circumſtances, which attended that motion, if any
" ſuch was made; and therefore could not ſo much as, in their private under-
" ſtandings, make a reaſonable judgment of it; but that they were naturally
" to preſume the circumſtances were ſuch, as took away the Offence of the
" Motion; for that the Major part of that Houſe, where the words were
" ſpoken, and at the time when they were ſpoken, had, upon Solemn debate, con-
" cluded, that there was no Crime in them; and that they were not only the
" Proper, but the Only Judges in that caſe: and if the Commons ſhould inter-
" meddle therewith, it was no otherwiſe, than, by the ſtrength of the Major part
" of the Houſe of Commons, to make the Minor part of Lords Superiour to the
" Major part of that Houſe; which they would not ſuffer to be offered to themſelves.

It was alledged, " that the Duke was a perſon of great Honour and in-
" tegrity and of ſo unblemiſhed a fame, that in all the diſcovery of the
" Court offences, there was not any reflection upon Him. That his educa-
" tion had been, according to the beſt rules of the Greateſt perſons, for
" ſome years beyond the Seas; and that, having ſpent more time in *France*
" and *Italy*, he viſited *Spain*; where his great Quality being known, and
" no queſtion as a Compliment to this Kingdom, with which it was then
" in ſtreight Alliance and Confederacy, that King had conferred the honour
" of Grandee upon him; which was of no other advantage or ſignificati-
" on to him, than to be Covered in the preſence of that King, as the
" principal Subjects there are. That his affection to the Proteſtant Reli-
" gion was unqueſtionable, and very Eminent; and tho' his Siſters, who
" had been bred under their Mother, were Roman Catholicks yet his Bro-

thers,

" thers, of whoſe education He had taken the ſole care, were very good " Proteſtants.

" That his opinions in Parliament had been very Avowed, and were to " be preſumed to be according to his Conſcience, in the profeſſion of " which he was ſo publick, that there was reaſon to believe he uſed no " Ill arts in private; ſince he had the courage to do that Aloud, which " he had reaſon to believe would diſpleaſe many. That it would be a " great prejudice, and blemiſh to their Counſels and Diſcoveries, if after " ſo long diſcourſe of a Malignant Party, and evil Councellors, of which " they had never yet named any, they ſhould firſt brand This Lord with " that imputation upon ſuch a ground and occaſion, as muſt include all thoſe " Lords, who had abſolved him, which was the Major part of the Lords. " In a word, that it would look as if they had deviſed thoſe New words " to make men afraid, and keep them in reſerve to apply to all thoſe, " with whom they were Angry.

But notwithſtanding all this, and all the reaſon, that could be ſpoken on that part, and that there could be none on the other, after a debate of very many hours till after nine of the Clock at Night (the lateſt that ever was in the Parliament, but that of the Remonſtrance) in which it was evident, that they meant as far as in them lay, to Confound all thoſe, whom they could not Convert; it was Reſolved by the Majority of Voices, not Half of the Houſe being preſent at that unſeaſonable time of the debate, " that " they ſhould accuſe the Duke of *Richmond* to the Lords to be one of the " Malignant Party, and an evil Counſellor to his Majeſty; and to deſire " them to joyn in a requeſt to the King, that he might be removed from " any Office or imployment about his perſon; which was ſolemnly recommended to the Lords accordingly, and by them ſo far received, that tho' the deſire was rejected, no diſlike or diſapprobation of the Matter or the Manner was in the leaſt diſcovered, or inſiſted on.

All things thus prepared, and ſo many Lords driven and kept from the Houſe, beſides the Biſhops, and they that ſtayed there, by this laſt inſtance, inſtructed how to carry themſelves, at leaſt how they provoked the Good Lords to Proteſt, they reſolved once more to try whether the Houſe of Peers would be induced to joyn in the buſineſs of the Militia, which they had twice refuſed; and to that purpoſe their old Friends of the City in the ſame numbers flocked to *Weſtminſter*, but under the New, received and allowed, ſtyle of Petitioners; but as unlike Petitioners to any of thoſe Lords or Commons, whom they underſtood to be Malignant, as the other Tumults had been. From theſe herds there were two notable Petitions delivered to the Houſe of Commons, the one from the Porters, their number, as they ſaid, conſiſting of fifteen thouſand; the other under the title of many thouſands of poor people in, and about the City of *London*. The Porters, with great Eloquence, confeſſed " the unexpreſſible pains " that Honourable Houſe had taken for the Good of Church and State; " which deſerved to be recorded to their eternal fame, tho' the Effects of " thoſe unwearied endeavours were not produced, by reaſon of the preva- " lence of that adverſe, malignant, blood-ſucking, Rebellious party, by the " power of which the Priviledges of Parliament, and the Liberty of the " Subject was trampled upon, the Rebellion in *Ireland* increaſed, and all ſuc- " cours and relief for that Kingdom obſtructed. They ſaid, " that Trade " had been long languiſhing, but was Now dead by the fears, jealouſies, and " diſtractions they lay under, for want of fortification of the Cinque Ports " which was a great incouragement to the Papiſts to make Inſurrections, " and did much animate a Forreign power to Invade us: that by the dead- " neſs of Trade they did want imployment in ſuch a meaſure, as did make " their lives very uncomfortable; therefore their Requeſt was, that that " extream neceſſity of theirs might be taken into ſerious conſideration, and " that the Honourable Houſe of Commons would fall upon the ſpeedieſt " courſe for abating and quelling the pride, outrage, and inſolency, of the " adverſe Party at home; that the Land might be ſecured by fortifying " the Cinque Ports, and putting the people into a poſture of defence, that " all their fears, or as many as could, might be removed, and that Trade

" might be again ſet up and opened, that their wants might be in ſome " meaſure ſupplied. They further deſired that Juſtice might be done upon " Offenders, according as the Atrocity of their crimes had deſerved; for " if thoſe things were any longer ſuſpended, they ſhould be forced to extre- " mities not fit to be named, and to make good that ſaying, that Neceſ- " ſity hath no Law. They ſaid, they had nothing to loſe but their lives, " and thoſe they would willingly expoſe to the utmoſt peril, in defence " of the Houſe of Commons, according to their Proteſtation, &c.

The other was a Petition in the names of many thouſands of poor people, and brought by a multitude of ſuch, who ſeemed prepared for any exploit. I have thought fit, for the rareneſs of it, and the rare Effect it produced, to inſert that Petition in Terms as it was preſented, Thus.

To the Honourable the Houſe of Commons now aſſembled in Parliament.

" The humble Petition of many thouſands of Poor People in and about " the City of *London*.

" Humbly ſheweth, that your Petitioners have lain a long time under " great preſſures, and grievances both in Liberties and Conſciences, as hath " been largely, and ſundry times, ſhewed and declared, by ſeveral Petitions " exhibited to this Honourable Aſſembly both by the Citizens, and Appren- " tices of the City of *London*, and divers Counties and parts of this King- " dom, from which we hoped long e're this, by your pious care, to have " been delivered.

" But now we, who are of the meaneſt rank and quality, being touched with " penury, are very ſenſible of the approaching ſtorms of Ruine, which hang " over our heads, and threaten to overwhelm us, by reaſon of the ſad diſtracti- " ons occaſioned chiefly and originally, as your Petitioners humbly conceive, " by the prevalency of the Biſhops, and the Popiſh Lords, and others of that " Malignant Faction; who make abortive all good Motions, which tend to " the Peace, and tranquillity of this Kingdom of *England*, and have hitherto " hindered the ſending relief to our Brethren in *Ireland*, altho' they lye wel- " tering in blood; which hath given ſuch head to the Adverſaries, that we " juſtly fear the like calamities inevitably to befall us Here, when they have " vented their rage and malice There.

" All which, occaſions ſo great a decay and ſtop of Trade, that your Petitio- " ners are utterly impoveriſhed, and our miſeries are grown inſupportable, we " having allready ſpent all that little means, which we had formerly, by God's " bleſſing, and our great labour, obtained; and many of us have not, nor can- " not tell where to get bread to ſuſtain our ſelves and families; and others of " us are allmoſt arrived at the ſame Port of calamity; ſo that unleſs ſome " ſpeedy remedy be taken for the removal of all ſuch obſtructions, which " hinder the happy progreſs of your great endeavours, your Petitioners ſhall " not reſt in quietneſs, but ſhall be forced to lay hold on the next remedy, " which is at hand, to remove the diſturbers of our Peace; Want and Neceſſity " breaking the bounds of Modeſty: and rather than your Petitioners will ſuf- " fer themſelves, and their families, to periſh through Hunger and neceſſity, " tho' hitherto patiently groaned under, they cannot leave any means uneſſayed " for their relief.

" The Cry therefore of the Poor, and needy, your poor Petitioners, is, that " ſuch perſons, who are the obſtacles of our peace, and hinderers of the hap- " py proceedings of this Parliament, and the injoyment of the looked for puri- " ty of Religion, ſafety of our lives, and return of our welfares, may be forthwith " publickly declared, to the end they may be made manifeſt; the removal of " whom we humbly conceive will be a Remedy to cure our miſeries, and put " a period to theſe diſtractions: and that thoſe Noble worthies of the Houſe " of Peers, who concur with your happy Votes, may be earneſtly deſired to " joyn with this Honourable Houſe, and to Sit and Vote as one entire body; " which we hope will remove from us our deſtructive Fears, and prevent " that, which Apprehenſion will make the Wiſeſt and Peaceableſt men to put " into Execution.

" For

" For the Lord's ſake hear us, and let our Religion, Lives, and Welfares " be precious in your ſight, that the loins of the Poor may bleſs you, and " pray, &c.

After this ſcandalous, and extravagant Petition delivered, the Houſe, according to its gracious cuſtom, ordered thanks to be given for their great kindneſs. To the Which when it was delivered by the Speaker, who told them that the Houſe was in conſideration of thoſe things, whereof they complained, ſome of that rabble, no doubt as they had been taught, replied, "that they " never doubted the Houſe of Commons, but they heard all ſtuck in the Lords " Houſe, and they deſired to know the Names of thoſe Peers, who hindered " the agreement between the Good Lords, and the Commons: which they preſſed with unheard of rudeneſs and importunity, and with a ſeeming unwillingneſs withdrew, whilſt the Houſe took the matter into further conſideration.

Yet notwithſtanding this Provocation, and that it was urged by many Members, ſome of which had been aſſaulted and ill intreated by that Rabble in their paſſage to the Houſe, " that the countenancing ſuch Licentious perſons " and proceedings would be a great blemiſh to their Counſels, they were a- " gain called in; and told, " that the Houſe, of Commons had endeavoured, " and would continue thoſe endeavours for their relief; and they doubted not, " when they had delivered their Petition, and what they had ſaid, to the " Lords, which they would preſently do, the cauſes of their evils would be " found out, and ſome ſpeedy courſe reſolved upon for their relief; and there- " fore deſired them with patience to attend a further Anſwer. And accordingly that Petition was ſolemnly read, and delivered to the Lords at a Conference; and the Conference no ſooner ended, than Mr. *Hollis*, one of thoſe Five, whom the King had accuſed a Month before of High-Treaſon, was ſent to the Lords in a Meſſage to deſire them, " that they would joyn with the Houſe " of Commons in their deſire to the King about the Militia; to which he added, " that if that deſire of the Houſe of Commons was not aſſented to, " he deſired thoſe Lords who were willing to concur, would find ſome means " to make themſelves known, that it might be known who were againſt them, " and they might make it known to thoſe, that ſent them.

After which Motion, and Meſſage, the Lords again reſumed the debate; which the Earl of *Northumberland* begun with a profeſſion, " that whoſoever " refuſed, in that particular, to joyn with the Houſe of Commons, were, in " His opinion, Enemies to the Common-wealth; when the Major part of that Houſe had twice before refuſed to concur with them in it. Yet when his Lordſhip was queſtioned for that Unparliamentary language, all the other Lords of that Faction joyned with him; and declared, " that it was Their " opinion likewiſe: the Rabble being at the door to execute whatever they were directed: ſo that many Lords, out of a juſt indignation to ſee their Honours, and their Liberties Sacrificed to the People by Themſelves; others, out of real fear of being murthered, if they ſhould, in that conjuncture of time inſiſt on their former reſolutions, withdrawing themſelves; the Major part of thoſe, who ſtayed, concluded to joyn with the Houſe of Commons in their deſire concerning the Militia.

The Lords paſs the Bill touching the Militia.

Within two days after this agreement, and ſubmiſſion of the Lords, another Petition was preſented to the Commons, in the name of the Inhabitants of the County of *Surry*, by a multitude of People, who were or pretended to be, of that County, and Subſcribed by above two thouſand hands. Their Petition was of the ordinary ſtrain, full of devotion to the Houſe of Commons, and offering to execute all their commands; but with it they preſented likewiſe a Petition, which they intended to preſent to the Lords, if They approved it, and was Subſcribed by above two thouſand hands; by which it may appear Where that Petition was drawn, and When, however the hands were procured. The Petition to the Lords took notice " of their happy concurrence with the Houſe " of Commons in ſettling the Militia, and Forts, in ſuch hands as the Com- " mon-wealth might Confide in, and the Kingdom in ſuch a poſture as might " be for its defence, and ſafeguard: yet they complained of the miſerable con- " dition of *Ireland*, which, they ſaid, by the delay it had found amongſt their " Lordſhips, notwithſtandnig the preſſing endeavours of the Houſe of Com- " mons, together with many of their Lordſhips, had been expoſed to the in-

" human cruelties of their mercyleſs Enemys. With like grief they appre-
" hended the Diſtractions of this Nation, the compoſure of which was alltoge-
" ther hopeleſs, ſo long as the King's Throne was ſurrounded with evil Coun-
" ſellors, and ſo long as the Votes of Popiſh Lords, and Biſhops, were conti-
" nued in their Houſe.

" Wherefore they did humbly pray, and beſeech their Lordſhips, that they
" would go on in a conſtant Union with the Houſe of Commons, in pro-
" viding for the Kingdoms ſafety; that all evil Counſellors might be found
" out, *Ireland* relieved; that the Votes of the Popiſh Lords, and Biſhops, might
" be ſpeedily removed; that ſo the Peace of the Kingdom might be eſtabliſh-
" ed, the Priviledges of Parliament vindicated, and the purity of Religion
" ſettled, and preſerved. And they ſaid, they ſhould be in duty obliged to de-
" fend, and maintain with their lives and Eſtates, their Lordſhips, as far as
" they ſhould be united with the Honourable Houſe of Commons in all their
" juſt and pious proceedings.

Which Petition was read in the Houſe of Commons, and approved, and the Petitioners thanked for their kind expreſſions therein; and then it was delivered by them at the Bar of the Houſe of Peers; who, within a day or two, paſſed both the Bill for taking away the Biſhops Votes, and that concerning Preſſing, which had lain ſo long deſperate, whilſt the Lords came, and ſate with freedom in the Houſe. And theſe marvellous things done, they again Adjourn both Houſes into *London*, to lay the Scene for future Action.

And the Bills touching the Biſhops Votes, and Preſſing.

Both Houſes adjourn again into London.

Upon the ſecond day of *February*, ſome Members, appointed by both Houſes, attended his Majeſty at *Windſor* with their Petition, " that he would forthwith
" put the Tower of *London*, and all other Forts, and the whole Militia of the
" Kingdom into the hands of ſuch perſons, as ſhould be recommended unto his
" Majeſty by both Houſes of Parliament; which, they aſſured themſelves,
" would be a hopeful entrance into thoſe courſes, which, through God's bleſſing
" ſhould be effectual for the removing all diffidence, and miſapprehenſion be-
" tween his Majeſty and his People; and for eſtabliſhing and enlarging the
" honour, greatneſs, and power of his Majeſty, and Royal poſterity; and for
" the reſtoring and confirming the Peace, and happineſs, of his loyal Subjects
" in all his Dominions. And to that their moſt neceſſary Petition, they ſaid,
" they did, in all humility, expect his ſpeedy and gracious Anſwer, the great
" Diſtractions, and Diſtempers of the Kingdom, not admitting any delay.

Both Houſes Petition the King touching the Tower, Forts, and Militia, &c.

Feb. 2.

At the ſame time they likewiſe preſented another Petition to him, concerning the accuſed Members; in which they beſought him " to give directions,
" that the Parliament might be informed before *Friday* next (which was with-
" in two days) what proof there was againſt them, that accordingly they might
" be called to a legal Trial; it being the undoubted right, and Priviledge of
" Parliament, that no Member of Parliament could be proceeded againſt, with-
" out the conſent of Parliament.

His Majeſty now found that theſe perſons could not be compounded with, and that their purpoſe was, by degrees, to get ſo much Power into Their hands, that they need not care for what was left in His; and that the Lords were in no degree to be relied upon to maintain their Own Priviledges, much leſs to defend His Rights; and that they had the power generally to impoſe upon the Peoples Underſtanding contrary to their own Senſes, and to perſwade them, " that
" they were in danger to be invaded by forreign Enemys, when the King was
not only in peace with all Chriſtian Princes, but allmoſt all other Nations ſo imbroyled in War, that they all deſired the Friendſhip and Aſſiſtance of *England*; none was in caſe or condition to diſturb it: " and that there was a decay and
" deadneſs of Trade, and Want and Poverty growing upon the whole King-
" dom, when no man living had ever remember'd the like Plenty over the whole Land, and Trade was at that heigth, that the like had never been known.

He reſolved therefore to remove himſelf to a greater diſtance from *London*, where the Fears and Jealouſies grew; and conſtantly to deny to paſs any Act, that ſhould be recommended to him from the two Houſes, except what might concern *Ireland*, till he might have a full proſpect of all they intended to demand, and an equal aſſurance how far they intended to gratify him for all his condeſcenſions; which reſolution was very Parliamentary, it having been rarely known,

The King reſolves to remove further from London.

known, till this preſent Parliament, that the King conſented to any Acts, till the determination of the Seſſion.

The truth is, when his Majeſty found the extream ill ſucceſs of the accuſation againſt the Members, and that the Tumults, and the Petitioners, were no other than an Army at the diſpoſal of thoſe, in whom he had no reaſon to put his confidence, and that all ſuch, who expreſſed any eminent zeal to his Service, would be taken from him under the ſtyle of Delinquents and Malignants, he reſolved that the Queen, who was very full of fears, ſhould go to *Portſmouth*, Colonel *Goring*, who was Governour thereof, having found means to make good impreſſions again in their Majeſties of his Fidelity; and that Himſelf would go to *Hull*, where his Magazine of Cannon, Arms, and Ammunition was; and that being ſecured in thoſe ſtrong places, whither they, who wiſhed him well, might reſort, and be protected, he would ſit ſtill, till they, who were over active, would come to reaſon.

But this, tho' reſolved with ſo much ſecreſy, that it was not communicated to three perſons (as I have been ſince aſſured by thoſe who knew) whether by the Treachery of one of thoſe few, or by the Curioſity of others (which I rather believe) who found means to over-hear all private diſcourſes (as both Bed-Chambers were inhabited, and every corner poſſeſſed, by diligent Spies upon their Maſter, and Miſtriſs) was imparted to thoſe, who procured thoſe Orders before mentioned for *Hull*, and *Portſmouth*; by reaſon whereof and the advice, and promiſe of many Lords "that they would firmly unite themſelves for the "juſt ſupport of the Regal power, with the extream apprehenſion the Queen had of danger, that Counſel was laid aſide. That, which wrought ſo much upon the Queen's fears, beſides the general obſervation how the King was betrayed, and how his Rights, and Power, were every day wreſted from him, was an advertiſement, that ſhe had received, of a deſign in the Prevalent Party to have accuſed her Majeſty of High-Treaſon; of which without doubt, there had been ſome diſcourſe in their moſt private Cabals, and, I am perſwaded, was imparted to her upon deſign, and by connivance (for there were ſome incorporated into that Faction, who exactly knew her nature, paſſions, and infirmities) that the diſdain of it might tranſport her to ſomewhat, which might give Them advantage. And ſhortly after that diſcovery to her Majeſty, thoſe perſons before mentioned were accuſed of High-Treaſon; yet afterwards when they had received the full fruits, they found means to complain, "as a great argument "of the malignity of thoſe perſons of nearneſs to both their Majeſties, that an "infuſion had been made to the Queen, that there was a purpoſe of accuſing "her of High-Treaſon, and ſolemnly by Meſſage "beſought her to diſcover, "Who had done that malitious Office; when they very well knew Who it was, and for Whoſe ſake the Queen was brought to return Anſwer, "that ſhe had "heard ſuch a diſcourſe, but took no notice of it, as never believing it; whereas if ſhe could have been compelled to have diſcovered, how they knew that the Queen had been informed, all the ſecret would have appeared; the ſame perſon firſt telling her what was in projection againſt her, and then returning Intelligence of any expreſſions, and diſtemper he might eaſily obſerve upon the apprehenſion which the other begot.

But both King, and Queen were then upon that diſadvantage, that all their words, and actions, which were the pure reſults of their own reaſons and judgments upon what they ſaw every day occurred, were called the effects of evil Counſels, that ſo they might take the liberty to reproach them with the more licence; whilſt what they received by the moſt ſecret perjury of Bed-Chamber Spies or what they forged themſelves, was urged as the reſult of common Fame, or the effects of their Fears and Jealouſies to the rancour of which the moſt precious balm of the Crown muſt be applied. And therefore it was concluded, "that the Queen ſhould take the "opportunity of her Daughter the Princeſs *Mary*'s Journey into *Holland*, "who had been before married to the young Prince of *Orange*, and was "now ſolemnly deſired by the States Embaſſadours to come into that Coun-"try, to tranſport her ſelf into *Holland*, patiently to expect an amendment "of the affairs of *England*; and that the King ſhould retire into the "North, and reſide at *York*, and deny all Particulars, till the Whole alte-"ration ſhould be framed. But the firſt reſolution concerning the Queen

was only publiſhed, the other, concerning the King, communicated to very few; both their Majeſties being reduced to ſo great wants, that the Queen was compelled to coyn, or ſell, her Chamber Plate for the ſupply of her moſt neceſſary occaſions, there being no money in the Exchequer, or in the power of the Miniſters of the Revenue; the Officers of the Cuſtoms, out of which the allowance for the weekly ſupport of their Majeſties Houſhold had been made, being injoined by the Houſe of Commons, not to iſſue out any money, without their particular conſent, and approbation.

It was evident now that the accuſed Members were too mighty for the King or the Law, and that they would admit no other Judges of their guilt, than Themſelves, nor rules of proceeding than the Plurality of their Own voices: and therefore the King reſolved to give over any more thought of that buſineſs. And ſo to that Petition he Anſwered, " that as he once " conceived that he had ground enough to accuſe them, ſo Now he found " as good cauſe wholely to wave any proſecution of them. The other Petition concerning the Militia gave him more trouble; for tho' he was reſolved in no degree to conſent to it, yet he was willing, till all things could be ready for the Queen's Journey, and ſo for his own remove, rather to delay it than Deny it; leaſt the ſame Army of Petitioners might come to *Windſor* to perſwade him, which had Converted, or prevailed over the Houſe of Peers. And he was perſwaded by ſome, who thought they knew the temper of both Houſes, that tho' they were now united in the Matter, they might eaſily be divided upon the Circumſtances; and that they would not be of one mind in the election of the Perſons to be Confided in. So that to that Petition his Majeſty returned this Anſwer.

The King's Anſwer to the Petition concerning the Militia.

" That he was willing to apply a remedy not only to their Dangers, but " to their Doubts and Fears; and therefore that when he ſhould know " the extent of power, which was intended to be eſtabliſhed in thoſe per- " ſons, whom they deſired to be Commanders of the Militia in the ſeveral " Counties, and likewiſe to what time it ſhould be limited, that no power " ſhould be executed by his Majeſty alone without the advice of Parliament " Then he would declare that he would be content to put in all the Forts, " and over the Militia, ſuch perſons as both Houſes of Parliament ſhould " either approve, or recommend to him; ſo that they before declared the " names of the perſons, whom they would approve or recommend; " and ſo that no Perſons ſhould be named by them, againſt whom his Ma- " jeſty ſhould have juſt, and Unqueſtionable exception.

Which Anſwer, tho' it was not a Conſent, gave them notable incouragement, and exceedingly united the vulgar minds to them; who concurred only with them, as they ſaw them like to Prevail in what they went about. And there was no danger of any diſunion in the Nomination of Perſons; becauſe, tho' they ſhould at firſt admit ſuch into the Number, whom they could not ſufficiently truſt, nor plauſibly except againſt, yet when they were once poſſeſſed of the power of Nomination, they might eaſily Weed out thoſe, which were not agreeable to the Soil they were planted in. However this would take up ſome time; and therefore to keep the King's inclination to gratify them (for ſo they would underſtand it) warm, the ſame day they received this Anſwer, they returned a Meſſage of thanks; and deſi- " red his Majeſty, whilſt they were preparing all other particulars according " to his command, that he would confer the cuſtody of the Tower upon Sir " *John Coniers*, whom they had lately recommended to his Majeſty as a per- " ſon of great merit. With which being ſurprized, and deſired likewiſe by Sir *John Byron* to free him from the Agony and vexation of that place, which had expoſed his perſon and reputation to the rage and fury of the People, and compelled him to ſubmit to ſuch reproaches, as a generous Spirit could not brook without much regret; for he had upon frivolous ſurmiſes been ſent for as a Delinquent, and been brought upon his knees at the Bar of both Houſes; his Majeſty conſented to that alteration, and made Sir *John Coniers* Lieutenant of the Tower. Which was ſuch an inſtance of his yielding upon Importunity, that from That time they thought themſelves even poſſeſſed of the whole Militia of the Kingdom.

The Houſe of Commons return the King thanks; and deſire Sr John Coniers *may be made Lieutenant of the Tower.*

The King conſents to it.

Whilſt

Whilſt all diligence was uſed in making preparation for the Queen's Journey; to divert their Councils from other inquiſition, the King (who had received ſo many ſharp expoſtulations for breach of Priviledges, and other attempts upon their reputations) reſolved upon the publication of a bold ſcandal upon himſelf by one of their principal Members, to expoſtulate with them, and try what ſatisfaction and reparation they were prepared to Give him, who exacted ſo much From him. All opportunities had been taken in Publick, and all licence given to Private and clandeſtine forgeries to lay ōdious, or envious imputation on the King and Queen, in the buſineſs of *Ireland*; and to impute the progreſs and ſucceſs of that Rebellion to a connivance, if not a countenance, from the Court: the not levying men, and ſending proviſions, imputed to his Majeſty; tho' he had, as is before obſerved, offered to levy ten thouſand Voluntiers for that Service, and had conſented chearfully to every propoſition, that had been made with the leaſt reference to the aſſiſtance of that Kingdom. Indeed he was ſo alarm'd with thoſe perpetual odious ſuggeſtions, which he perceived wrought very pernicious effects in the minds of the People, that he was compelled to conſent to many things contrary to his judgment, and Kingly policy, to prevent greater inconveniences by thoſe ſcandals, which he ſaw were prepared for him. So when ſeveral Propoſitions were recommended to him by the two Houſes concerning thoſe Supplies, which were to be ſent out of *Scotland*, amongſt the reſt, there was one, "that the Scots ſhould have the Command, and "keeping of the Town, and Caſtle of *Carrickfergus*; and if any Regiments, "or Troops, in that Province ſhould joyn with them, that they ſhould receive "Orders from the Commander of the Scottiſh Forces. The King conſented to all the reſt, tho' there were matters unreaſonable enough in favour of that Nation; but "That, he ſaid, "he could not approve of; and wiſhed "the Houſes "to take that Propoſition again into conſideration, as a buſineſs of very "great importance, which he doubted might prove prejudicial to the Crown of "*England*, and the Service intended. And he ſaid, if the Houſes deſired it, he "would be willing to ſpeak with the Scottiſh Commiſſioners, to ſee what ſatis-"faction he could give them therein. This Anſwer was no ſooner read, but both Houſes Voted, "that whoſoever gave the King advice, or counſel, to ſend "that Anſwer, was an Enemy to the King, and Kingdom, and a Committee appointed to find out who thoſe evil Counſellors were. So that, the Scottiſh Commiſſioners preſſing him, "that being their Native King, he would not pub-"liſh a leſs Truſt and confidence in them, than their Neighbour Nation had "done, his Majeſty thought fit to conſent to the whole, as the two Houſes had adviſed.

Then, in the carrying on the War, they allowed his Majeſty ſo little power, that when he recommended ſome Officers of prime quality, reputation, and experience in the War, to the Lord Lieutenant to be imployed in that Service, the Houſe of Commons by expreſs Order, and after they knew that his Majeſty had recommended them, rejected them, becauſe they were taken notice to have attended upon the King at *White-Hall*, as a Guard to his perſon. And after all this, they took all occaſions, to aſperſe him with any omiſſions, that were in that great work; as Mr *Pym* had more particularly done, in that Speech before taken notice of, at the Conference with the Lords, upon the delivery of thoſe Seditious Petitions; of which the King could not take notice, leaſt he ſhould be again reproached with breach of Priviledge.

The King demands reparation for an expreſſion in a printed Speech of Mr. Pym's.

But when that Speech was printed by Order of the Houſe, the King thought he had an opportunity to require a vindication; and therefore, in a letter to the Speaker, he ſent this Meſſage: "That he had taken notice "of a Speech, pretended by the title to have been delivered by Mr *Pym* "in a Conference, and printed by Order of the Houſe of Commons; in which "it was affirmed, that Since the ſtop upon the Ports againſt all Iriſh Papiſts "of both Houſes, many of the chief Commanders, now in the head of the Re-"bels, have been ſuffer'd to paſs by his Majeſty's immediate Warrant: and being "certain of having uſed extream caution in the granting of Paſs-Ports into "*Ireland*, he conceived, either that Paper not to have been ſo delivered, and "printed, as is pretended; or that Houſe to have received ſome miſinforma-"tion. And therefore his Majeſty deſired to know, whether that Speech had

" been ſo delivered, and printed; and if it had, that the Houſe would review,
" upon what information that particular had been grounded, that either
" it might be found upon re-examination falſe, and ſo both the Houſe and his
" Majeſty to have been injured by it; or that his Majeſty might know, by
" what means, and by whoſe fault, his Authority had been ſo highly abuſed
" as to be made to conduce to the Aſſiſtance of that Rebellion, which he ſo
" much deteſted and abhorred; and that he might ſee himſelf fully vindicated
" from all reflections of the leaſt ſuſpition of that kind.

The Houſe of Commons Anſwer.

It was ſome time before they would vouchſafe any Anſwer to the King upon this Meſſage; but at laſt they returned, " that the Speech, mentioned
" in that Meſſage was printed by their Order, and what was therein delivered,
" was agreeable to the ſenſe of the Houſe. That they had received divers
" advertiſements concerning the ſeveral perſons, Iriſh Papiſts, and others, who
" had obtained his Majeſty's immediate Warrant for their paſſing into *Ireland*,
" Since the Order of reſtraint of both Houſes; ſome of which, as they had
" been informed, ſince their coming into *Ireland*, had joined with the Re-
" bels, and been Commanders amongſt them; and ſome others had been ſtayed,
" and were yet in ſafe Cuſtody.

Then they named ſome, to whom Licences had been granted Before the Order of reſtraint, and were ſtill in *England*; and ſaid, " there were others, whoſe
" Names they had not yet received, but doubted not, upon examination, they
" would be diſcovered.

The King's reply.

To this the King replyed, and told them, " that as He had expreſſed a great
" deſire to give Them all poſſible ſatisfaction to all their juſt requeſts, and a readi-
" neſs to rectify, or retract, any thing done by himſelf, which might ſeem to
" intrench upon their Priviledges by any miſtake of his; ſo, he hoped, They
" would be ready, upon all occaſions, to manifeſt an equal tenderneſs and regard
" of His Honour, and reputation with his Subjects; and therefore, he expected
" they ſhould review his Meſſage concerning Mr. *Pym*'s Speech, and their An-
" ſwer, with which he could not reſt ſatisfied. He ſaid, he was moſt aſſured
" that No perſon, who had command in the head of the Rebels, had paſſed by
" his Warrant, or Privity. And then, he deſired them to conſider, whether
" ſuch a General information, and advertiſement, as they implied in their An-
" ſwer, without the Name of any Particular perſon, was a ground enough for
" ſuch a direct and poſitive Affirmation, as was made in that Speech; which,
" in reſpect of the place and perſon, and being now acknowledged to be ac-
" cording to the ſenſe of the Houſe, was of that Authority, that his Majeſty
" might ſuffer in the Affections of many of his good Subjects, and fall under a
" poſſible conſtruction, conſidering many ſcandalous Pamphlets to ſuch a pur-
" poſe, of not being ſenſible enough of that Rebellion, ſo horrid, and odious to
" all Chriſtians; by which, in that diſtraction, ſuch a danger might poſſibly
" inſue to his Majeſty's perſon, and Eſtate, as he was well aſſured they would
" endeavour to prevent. And therefore, he thought it very neceſſary, and ex-
" pected that they ſhould Name thoſe perſons, who had paſſed by his Licence,
" and were then in the head of the Rebels: or if, upon their re-examination,
" they did not find Particular evidence to prove that aſſertion (as he was moſt
" confident they never could) as that Affirmation, which reflected upon his Ma-
" jeſty was very Publick, ſo they would publiſh ſuch a Declaration, whereby
" that miſtake might be diſcovered; he being the more tender in that particu-
" lar, which had reference to *Ireland*, and being moſt aſſured, that he had been,
" and was, from his Soul, reſolved to diſcharge his duty, for the relief of his
" poor Proteſtant Subjects, and the utter rooting out that Rebellion; ſo that
" Service had not ſuffer'd for the want of any thing propoſed to him, and with-
" in His power to grant.

" He ſaid, in this matter he had diligently examined his own memory, and
" the notes of his Secretaries; and then named all the Iriſh perſons to whom
" he had given any Licences to go into that Kingdom, ſince the beginning of
" that Rebellion; and ſaid, " he was well aſſured, none of Them were with the
" Rebels; and tho' ſome of them might be Papiſts, yet he had no reaſon to
" have any ſuſpition of them, in reſpect of their alliance with perſons of great
" Honour and Power in that Kingdom, of whoſe fidelity to him he had good
" aſſurance; and the Lords Juſtices Themſelves having declared, that they

were

" were to far from owning a jealouſy of All Papiſts there, that they had " put Armes into the Hands of divers Noble men of that Religion, within " the Pale, which the Parliament had well approved of. And therefore, un- " leſs the firſt Affirmation of the Houſe of Commons could be made good " by ſome Particulars, he expected a vindication by ſuch a Declara- " tion as he had propoſed; which he ſaid was in duty and Juſtice; due " to him.

But this, and any thing elſe could be ſaid, was ſo far from procuring any Reparation, that when they perceived the King ſtill preſſed for that Juſtice, and apprehended that many would believe it due to him, and that the prejudice they had raiſed to him for *Ireland* would be removed thereby, they confidently publiſhed another Declaration of ſeveral perſons Names, to whom they ſaid the King had granted Paſſes, and were then Commanders in the Rebels Army, of whoſe Names his Majeſty had never before heard, to whom no Paſſes had been granted, neither did he believe that there were ſuch men in Nature: and ſo left the People to believe as they found themſelves inclined upon the King's denial, or Their ſo Particular, and poſitive affirmation.

Theſe proceedings of the Parliament made a deep impreſſion upon all Noble and generous perſons, who found that their Pride, and Ambition was ſo great, that they reſolved to remove all perſons, who were like to ſtand in their way by oppoſing any thing they deſired, or by filling any place, or office, which they deſigned ſhould be executed by ſome other perſon, in whom they could Confide. The Earl of *New-Caſtle*, who was Governour to the Prince, knew very well in what prejudice he ſtood with the Earls of *Eſſex*, and *Holland*, (two very powerful perſons) upon the Account of the Challenge formerly mentioned to be ſent by him to the latter of the two, who would be glad of any opportunity to expoſe him to an affront; and that they would find occaſions enough upon the account of his known affections to the King's Service, from which it was not poſſible to remove or ſtartle him. He knew they liked not that he ſhould have the Government of the Prince, as one, who would infuſe ſuch principles into him, as would not be agreeable to their Deſigns, and would diſpoſe him to no kindneſs to their Perſons, and that they would not reſt, till they ſaw another man in that province; in order to which, they would pick all quarrels they could, and load him with all reproaches, which might blaſt him with the People, with whom he had a very good reputation. Upon thoſe conſiderations, and ſome other imaginations upon the proſpect of Affairs, he very Wiſely reſolved to retire from the Court, where he had expended much of his own Fortune, and only made himſelf obnoxious to the malice, and envy of other pretenders; and deſired the King to approve of this his reaſonable inclination, and to put the Prince under the Tuition of ſome perſon of Honour of unqueſtionable fidelity to him, and above the reach of Popular diſapprobation; and, at the ſame time, mentioned the Marqueſs of *Hartford*, who was indeed Superiour to any Temptations. The King could not diſlike the Earl's Judgment upon his own intereſt, and concernment; and did foreſee likewiſe that he might probably have occaſion to uſe his Service under another qualification; and therefore was well contented to diſmiſs him from the Prince.

The Earl of New-Caſtle *reſigns his place of Governour to the Prince.*

The Marqueſs of *Hartford*, was a man of great Honour, Intereſt, and Eſtate, and of an univerſal eſteem over the whole Kingdom; and tho' he had received many, and continued diſobligations from the Court, from the time of this King's coming to the Crown, as well during as the Reign of King *James*, in both which ſeaſons, more than ordinary care had been taken to diſcountenance and leſſen his Intereſt; yet he had carried himſelf with notable ſteadyneſs, from the beginning of the Parliament, in the ſupport and defence of the King's power and dignity, notwithſtanding all his Allies, and thoſe, with whom he had the greateſt familiarity and Friendſhip, were of the oppoſite Party; and never concurred with them againſt the Earl of *Strafford*, whom he was known not to love, nor in any other extravagancy.

The Marqueſs of Hartford *ſucceeds him.*

And then, he was not to be ſhaken in his affection to the Government of the Church; tho' it was enough known that he was in no degree byaſſed to any great inclination to the Perſon of any Church-man. And with all this, that

Party carried themſelves towards him with profound reſpect, not preſumeing to venture their own credit in endeavouring to leſſen His.

It is very true, he wanted ſome of thoſe qualities, which might have been wiſhed to be in a perſon to be truſted in the education of a great and hopeful Prince, and in forming of his mind and manners in ſo tender an age. He was of an age not fit for much activity and fatigue, and loved, and was even wedded ſo much to his eaſe, that he loved his book above all exerciſes; and had even contracted ſuch a lazineſs of mind, that he had no delight in an open and liberal Converſation; and cared not to diſcourſe, and argue on thoſe points, which he underſtood very well, only for the trouble of contending; and could never impoſe upon himſelf the pain, that was neceſſary to be undergone in ſuch a perpetual attendance: but then thoſe leſſer duties might be otherwiſe provided for, and he could well Support the dignity of a governour, and exact that diligence from others, which he could not exerciſe Himſelf; and his honour was ſo unblemiſhed, that none durſt murmur againſt the deſignation; and therefore his Majeſty thought him very worthy of the high Truſt, againſt which there was no other exception, but that he was not ambitious of it, nor intruth willing to receive and undergo the charge, ſo contrary to his natural conſtitution. But in his pure zeal and affection for the Crown, and the conſcience, that in this conjuncture his ſubmiſſion might advance the King's Service, and that the refuſing it might prove diſadvantagious to his Majeſty, he very chearfully undertook the Province, to the general ſatisfaction and publick joy of the whole Kingdom; and to the no little honour and credit of the Court, that ſo important and beloved a perſon would Attach himſelf to it under ſuch a relation, when ſo many, who had ſcarce ever eaten any bread but the King's, Detached themſelves from their dependance, that they might without him, and Againſt him, preſerve and improve thoſe Fortunes, which they had procured and gotten Under him, and by his Bounty.

The King preſſed to paſs the Bill againſt the Biſhops Votes.

Now the Bill for the taking away the Votes of Biſhops out of the Houſe of Peers, which was called a Bill for taking away all Temporal Juriſdiction from thoſe in holy Orders, was no ſooner paſſed the Houſe of Peers, than the King was earneſtly deſired " to give his Royal Aſſent to it. The King returned, " that it was a matter of great Concernment; and therefore, he would take " time to adviſe, and would return an Anſwer in convenient time. But this delay pleaſed not their appetite; they could not attempt their perfect Reformation in Church and State, till thoſe Votes were utterly aboliſhed; therefore they ſent the ſame day again to the King, who was yet at *Windſor*, and gave him reaſons to perſwade him " Immediately to conſent to it; One of which " was the Grievances the Subjects ſuffer'd by the Biſhops exerciſing of Temporal " Juriſdiction, and their making a Party in the Lords Houſe; a Second, the great " content of all ſorts by the happy conjunction of both Houſes in Their abſence: " and a Third, that the paſſing of that Bill would be a comfortable pledge of " his Majeſty's gracious aſſent to the future Remedies of thoſe evils, which " were to be preſented to him, this once being paſſed.

Reaſons ſufficient to have converted him, if he had the leaſt inclination or propenſity to have concurred with them. For it was, upon the matter, to perſwade him to joyn with them in This, becauſe, That being done, he ſhould be able to deny them Nothing.

However thoſe of greateſt truſt about the King, and who were very faithful to his Service, tho' in this particular exceedingly deceived in their judgments, and not ſufficiently acquainted with the Conſtitution of the Kingdom, perſwaded him, " that the paſſing this Bill was the only way to preſerve the " Church, there being ſo united a combination in this particular, that he would " not be able to withſtand it. Whereas, by the paſſing this Bill, ſo many per- " ſons in both Houſes would be fully ſatisfied, that they would joyn in no fur- " ther alteration: but, on the other hand, if they were croſſed in This, they " would violently endeavour an Extirpation of Biſhops, and a demoliſhing of " the whole Fabrick of the Church.

" They alledged that he was, upon the matter, deprived of their Votes al- " ready, they being not ſuffer'd to come to the Houſe, and the Major part in " priſon under an accuſation of High-Treaſon, of which there was not like to " be any Reformation, till theſe preſent diſtempers were compoſed; and then

" that

" that by his Power, and the memory of the Indirect means that had been uſed " againſt them, it would be eaſier to bring them in Again, than to keep them " in Now. They told him, there were two matters of great Importance preſ- " ſed upon him for his Royal Aſſent, but they were not of equal conſequence, " and concernment to his Soveraign Power; the firſt, that Bill touching the " Biſhops Votes; the other, the whole Militia of the Kingdom, the granting " of which would abſolutely deveſt him of all Regal Power; that he would not " be able to deny Both, but by granting the former, in which he parted with " no matter of Moment, he would, it may be, not be preſſed in the ſecond; or " if he were, that as he could not have a more Popular quarrel to take up Arms, " than to defend himſelf, and preſerve that power in his hands, which the " Law had veſted in him, and without which he could not be a King; ſo " he could not have a more Unpopular argument for that contention, than " the preſervation of the Biſhops in the Houſe of Peers, which few men " thought Eſſential, and moſt men believed Prejudicial, to the peace and hap- " pineſs of the Kingdom.

Theſe arguments, tho' uſed by men whom he moſt truſted, and whom he knew to have oppoſed that Bill in its paſſage, and to be cordially friends to the Church of *England* in Diſcipline and Doctrine, prevailed not ſo much with his Majeſty, as the perſwaſions of the Queen; who was not only perſwaded to think thoſe reaſons valid (and there are that believe that infuſion to have been made in her by her own Prieſts, by Inſtructions from *France*, and for reaſons of State of that Kingdom) but that her own ſafety very much depended upon the King's conſent to That Bill; and that, if he ſhould refuſe it, her Journey into *Holland* would be croſſed by the Parliament, and poſſibly her Perſon in danger either by the Tumults, which might eaſily be brought to *Windſor* from *Weſtminſter*, or by the inſurrection of the Countries in her paſſage from thence to *Dover*, where ſhe intended to take ſhipping. Whereas by her interceſſion with the King to do it, ſhe would lay a moſt ſeaſonable and Popular obligation upon the whole Nation, and leave a pleaſant odour of her grace and favour to the people, behind her, which would prove much to her advantage in her abſence; and ſhe ſhould have the thanks for that Act, as acquired by Her goodneſs, which otherwiſe would be extorted from the King, when ſhe was gone,

The King paſſes that Bill and the other of Preſſing February. 14.

Theſe, inſinuations and diſcourſes ſo far ſatisfied the Queen, and She the King, that, contrary to his moſt poſitive reſolution, the King conſented, and ſent a Commiſſion for the enacting both that Bill, and the other about Preſſing; which was done accordingly to the great triumph of the Boutefeus, the King ſending the ſame day that he paſſed thoſe Bills, which was the fourteenth of *February*, a Meſſage to both Houſes; " that " he was aſſured his having paſſed thoſe two Bills, being of ſo great impor- " tance, ſo ſuddainly, would ſerve to aſſure his Parliament, that he de- " ſired nothing more than the ſatisfaction of his Kingdom. For *Ireland*, " he ſaid, as he had concurred in all Propoſitions made for that Service " by his Parliament, ſo he was reſolved to leave nothing undone for their " relief, which ſhould poſſibly fall within his power, nor would refuſe to " venture his own Perſon in that War, if the Parliament ſhould think it " convenient for the reduction of that miſerable Kingdom.

The paſſing that Bill for taking away the Biſhops Votes exceedingly weaken'd the King's Party; not only as it ſwept away ſo conſiderable a number out of the Houſe of Peers, which were conſtantly devoted to him; but as it made impreſſion on others, whoſe minds were in ſuſpence, as when Foundations are ſhaken. Beſides, they that were beſt acquainted with the King's nature, opinions, and reſolutions, had reaſon to believe, that no exigence could have wrought upon him to have conſented to ſo Anti-Monarchical an Act; and therefore, never after retained any confidence, that he would deny what was Importunately asked; and ſo either abſolutely withdrew themſelves from thoſe conſultations, thereby avoiding the envy, and the danger of oppoſing them, or quietly ſuffer'd themſelves to be carried by the Stream, and to conſent to any thing that was Boldly and Luſtily attempted.

And then it was ſo far from dividing the other Party, that I do not remember One man, who vehemently inſiſted on, or indeed heartily wiſhed, the paſſing of that Bill, that ever deſerted them, till the Kingdom was in a flame: but, on the contrary, very many, who cordially and conſtantly oppoſed that Act, as friends rather to Monarchy than Religion, after that Bill, never conſidered or reſiſted any attempt, or further alteration, in the Church, looking on the Biſhops as uſeleſs to Soveraignty, and ſo not of importance enough to be defended by the Sword. And I have heard the ſame men, who urged before, "that their places in that Houſe "had no relation to the Diſcipline of the Church, and their Spiritual "Juriſdiction, and therefore ought to be Sacrificed to the Preſervation of "the other, upon which the Peace, and unity of Religion ſo much de-"pended, Since argue, "that Since their power in that Houſe, which "was a good Outwork to defend the King's from invaſion, was taken away, "any other form of Government would be equally advantagious to his "Majeſty; and therefore, that he ought not to inſiſt on it, with the leaſt "inconvenience to his condition.

But that, which was above, or equal to all this, was that by his Majeſty's enacting thoſe two Bills, he had, upon the matter, approved the Circumſtances of their paſſage, which had been by direct violence, and allmoſt force of armes; in which caſe, he ought not to have confirmed the moſt Politick, or the moſt Pious conſtitutions: *Malo poſita eſt Lex quæ tumultuarie poſita eſt*, was one of thoſe poſitions of *Ariſtotle*, which hath Never been ſince contradicted; and was an advantage, that, being well managed, and ſtoutly inſiſted upon, would, in ſpight of all their Machinations, which were not Yet firmly and ſolidly formed, have brought them to a temper of being Treated with. But I have ſome cauſe to believe, that even this argument, which was Unanſwerable for the Rejecting that Bill, was applied for the Confirming it; and an opinion that the violence, and force, uſed in procuring it, render'd it abſolutely Invalid and Void, made the Confirmation of it leſs conſidered, as not being of ſtrength to make that Act good, which was in it Self Null. And I doubt this Logick had an influence upon other Acts of no leſs Moment than theſe: but it was an Erroneous and Unskilful ſuggeſtion; for an Act of Parliament, what circumſtances ſoever concurred in the contriving and framing it, will be allways of too great reputation to be avoided, or to be declared Void, by the ſole Authority of any Private perſons, or the Single power of the King Himſelf. And tho' the wiſdom, ſobriety, and power, of a future Parliament, if God ſhall ever bleſs the Kingdom with another Regularly conſtituted, may find cauſe to declare this, or that Act of Parliament, Void; yet there will be the ſame temper requiſite to ſuch a Declaration, as would ſerve to Repeal it. And it may be Then, many men, who abhorred the thing when it was done, for the manner of doing it, will be of the Civilians opinion, *fieri non debuit, factum valet*; and never conſent to the Altering of that, which they would never have conſented to the Eſtabliſhing of; neither will that Single Preſident of the Judges in the caſe of King *Henry* the Seventh, when they declared the Act of Attainder to be Void by the acceſſion of the Crown (tho' if he had in truth been the perſon, upon whom the Crown had lineally and Rightfully deſcended, it was good Law) find, or make, the Judges of another age parallel to Them, till the King hath as ſtrong a Sword in his hand, and the People as much at his devotion and diſpoſal; and then the Making, and Declaring Law, will be of equal Facility, tho', it may be, not of equal Juſtice. How much ſoever the King's Friends were, for the reaſons aforeſaid, dejected upon the paſſing thoſe two Acts, it is certain, they who thought They got whatever He loſt, were mightily exalted, and thought themſelves now Superior to any oppoſition: And what returns of duty and acknowledgement they made to the King for that Grace and favour, is to be remember'd in the next place.

The ſame day thoſe two Acts were by his Majeſty's Commiſſion paſſed, and as ſoon as a very ſhort Meſſage of thanks for that favour, as much importing the ſafety of both Kingdoms, of *England* and *Ireland*, was conſented to, an Ordinance for the ſettling the Militia was agreed on by both Houſes, and,

and, together with a liſt of the Names of ſuch perſons, as for the preſent they meant to Confide in, was immediately ſent to the King for his approbation; the which, being the moſt Avowed foundation of all the Miſeries, that have followed, will be here neceſſary to be inſerted in the very terms and form it was agreed upon, and preſented; and was as followeth.

An Ordinance of Both Houſes of Parliament for the Ordering of the Militia of the Kingdom of England *and Dominion of* Wales.

An Ordinance agreed on by both Houſes for ſettling the Militia.

"Whereas there hath been of late a moſt dangerous and deſperate deſign " upon the Houſe of Commons, which we have juſt cauſe to believe to be " the effect of the bloody Counſels of the Papiſts, and other ill affected per- " ſons, who have allready raiſed a Rebellion in the Kingdom of *Ireland*, " and by reaſon of many diſcourſes, we cannot but fear they will proceed, " not only to ſtir up the like Rebellion, and Inſurrection in this Kingdom of " *England*, but alſo to back them with forces from abroad; for the ſafety " therefore of his Majeſty's perſon, the Parliament, and Kingdom, in this " time of imminent danger, it is ordained by the King, the Lords, and " Commons, now in Parliament aſſembled, That ſhall " have power to aſſemble, and call together all, and ſingular his Majeſty's " Subjects within the County of as well within liberties, " as without, that are meet and fit for the Wars, and them to Train, " Exerciſe, and put in readineſs, and them, after their abilities and fa- " culties, well and ſufficiently, from time to time, to cauſe to be arrayed, and " weaponed, and to take the muſter of them in places moſt fit for that " purpoſe. And ſhall have power within the ſaid Coun- " ty to nominate, and appoint ſuch perſons of Quality, as to him ſhall ſeem " meet, to be his Deputy Lieutenants to be approved of by both Houſes " of Parliament: and that any one, or more of the ſaid Deputies, ſo aſ- " ſigned, and approved of, ſhall in the abſence, or by the Command of the ſaid " have Power and Authority to do and execute within the " County of all ſuch powers and authorities before in this pre- " ſent Ordinance contained; and ſhall have power to make Colonels, and " Captains, and other Officers, and to remove out of their places, and " to make others from time to time, as he ſhall think fit for that pur- " poſe. And his Deputies, Colonels, and Captains, and " other Officers, ſhall have further power and Authority to lead, con- " duct, and imploy, the perſons aforeſaid arrayed, and weaponed, as well " within the County of as within any other part of " this Realm of *England*, or Dominion of *Wales*, for the ſuppreſſing of " all Rebellions, Inſurrections, and Invaſions, that may happen, according " as they, from time to time, ſhall receive directions by his Majeſty's Au- " thority, ſignified unto them by the Lords, and Commons aſſembled in " Parliament. And it is further Ordained, that ſuch, as ſhall not obey in any " of the Premiſes, ſhall anſwer their neglect, and contempt to the Lords " and Commons in a Parliamentary way, and not otherwiſe, nor elſe where: " and that every the powers granted as aforeſaid, ſhall continue, untill it " ſhall be otherwiſe ordered, or declared by both Houſes of Parliament, and " no longer. This to go alſo to the Dominion of *Wales*.

A ſecond Act of the ſame day, and the only way they took to return their thanks and acknowledgment to the Queen for her interceſſion, and mediation in the paſſing thoſe Bills, was the opening a Letter they intercepted, which was directed to her Majeſty. The Lord *Digby*, after their Majeſty's going to *Windſor*, when he found in what umbrage he ſtood with the powerful and prevailing Party, and that they were able to improve his going through a Town in a Coach and ſix horſes to a warlike appearance, and ſo to expoſe him to the fury of the People, at leaſt to the power of the Counties, to be ſuppreſſed, as they had done by their Order, or Proclamation of the twelfth of *January*, before remember'd, and appointed to be read in all Market Towns throughout *England*; conlcluded for his own ſecurity, and to free the King's Councils from the imputation of his evil influence, to remove himſelf into ſome parts beyond the Seas: and ſo, by the King's leave, and by his licence, was tranſported into

Holland, from whence he writ ſome Letters to his friends at *London*, to give them an account where he was, and for ſupplying himſelf with ſuch accommodations as he ſtood in need of. Amongſt theſe Letters there was one to his Brother in Law Sir *Lewis Dives*, which, by the treachery of that perſon, to whoſe care it was intruſted for conveyance, was brought to the Houſe of Commons; and it being averr'd, " that it came from the Lord *Digby*, whom they looked upon as a Fugitive, they made no ſcruple of opening it; and finding another in it directed to the Queen, after a very little pauſe they did the like; for which they made no other excuſe, (when upon a Meſſage from the King they ſent her the tranſcript, for the Original they ſtill kept) than, " that " having opened the other Letters, and finding in them ſundry expreſſions " full of aſperity, and malignity to the Parliament, they thought it very proba- " ble, that the like might be contained in that to her Majeſty; and that it " would have been diſhonourable to her Majeſty, and dangerous to the King- " dom, if it ſhould not have been opened: And they beſought the King to " Perſwade her Majeſty, that ſhe would not vouchſafe any countenance to, or " correſpondence with, the Lord *Digby*, or any other of the Fugitives or " Traytors, whoſe offences were under the examination and judgment of " Parliament.

In that Letter to the Queen were theſe words, " If the King betake him- " ſelf to a ſafe place, where he may avow and protect his ſervants (from rage " I mean and violence; for from juſtice I will never implore it) I ſhall then " live in impatience, and in miſery, till I wait upon you. But if, after all " he hath done of late, he ſhall betake himſelf to the eaſieſt and complyanteſt " ways of accommodation, I am confident, that then I ſhall ſerve him more " by my abſence, than by all my induſtry, And in that to Sir *Lewis Dives*, were theſe words: " God knows, I have not a thought to make me bluſh to- " wards my Country, much leſs criminal; but where Traytors have ſo great " a ſway, the honeſteſt thoughts may prove moſt Treaſonable. Which gave thoſe, that thought themſelves concern'd, ſo great offence, that, within two days after, they accuſed him of High-Treaſon; and finding no words in the Letter would amount to that offence, they accuſed him of levying War againſt the King; which could have relation to no Act of his, but what was before mentioned at *Kingſton* upon *Thames*, when, to the terrour of the King's Subjects, he was ſeen there in a Coach with ſix Horſes. Tho' this extrvagancy of theirs ſeems to be directed againſt a particular perſon, I could not omit it in this place, being accompanied with thoſe circumſtances. And it may be, poſterity may look upon the ſevere proſecution of a young Noble-man of admirable parts and eminent hopes, in ſo implacable a manner, as a moſt pertinent inſtance of the Tyranny, and Injuſtice of that time, not poſſible to end but in ſo much wickedneſs as hath ſince been practiſed.

The Attourney General is impeach'd by the Commons.

A Third Act of that day was the carrying up an Impeachment to the Lords againſt the King's Attourney General, " for maliciouſly adviſing and contri- " ving the Articles upon which the Lord *Kimbolton*, Mr. *Hollis*, Mr. *Pym*, " Mr. *Hambden*, Mr. *Strode*, and Sir *Arthur Haſlerigg*, had been accuſed by " his Majeſty of High-Treaſon; it being not thought ſecurity and reparation enough, that the King had waved any further proceeding againſt them, except they left ſuch a monument of their power, that, upon what occaſion or provocation ſoever, no man ſhould preſume to obey the King in the like command: ſo that the ſame fourteenth of *February*, that was celebrated for the King's condeſcenſion to that Act for putting the Biſhops out of the Houſe of Peers, is famous likewiſe for thoſe three Unparallelled Acts of contempt upon the Soveraign power; the demand of the ſole power over all the Militia of the Kingdom; the opening Letters directed to the Sacred perſon of the Queen, and the impeaching the Attourney General, for performing, what he took to be the duty of his place, by his Maſter's command. All which were very ill inſtances of that application and compliance his Majeſty had reaſon to expect, and ſome men had promiſed him he ſhould receive.

The King's Anſwer concerning the Militia.

Tho' the King was reſolved in no degree to conſent to the Propoſition for the Militia, yet he thought not the time ſeaſonable for his poſitive Denial, the Queen retaining ſtill her fears of being ſtopped in her Journey. Therefore, for the preſent, he returned Anſwer, " that his deareſt Conſort the Queen, and his

" dear

" dear Daughter the Princeſs *Mary*, being then upon their departure for *Hol-*
" *land*, he could not have ſo good time to conſider of a particular Anſwer for a
" matter of ſo great weight, as That was; and therefore, he would reſpite the
" ſame till his return: the King intending to accompany the Queen to *Dover*,
and, as ſoon as ſhe was imbarked, to return. They received this Anſwer with
their uſual impatience, and the next day ſent Meſſengers to him, with that,
which They called an Humble Petition; in which they told him, " that they
" had, with a great deal of grief, received his Anſwer to their juſt and neceſ- *Their Reply*
" ſary Petition concerning the Militia of the Kingdom; which, by a gracious
" Meſſage formerly ſent unto them, he had been pleaſed to promiſe ſhould be
" put into ſuch hands, as his Parliament ſhould approve of, the extent of their
" power, and the time of their continuance, being likewiſe declared; the which
" being now done, and the perſons Nominated, his Majeſty nevertheleſs re-
" ſerved his reſolution to a longer, and a very uncertain time; which, they
" ſaid, was as unſatisfactory and deſtructive as an abſolute Denial. Therefore,
" they once again beſought him to take their deſire into his Royal thoughts,
" and to give them ſuch an Anſwer, as might raiſe in them a Confidence, that
" they ſhould not be expoſed to the practices of thoſe, who thirſt after the
" ruin of this Kingdom, and the kindling of that combuſtion in *England*, which
" they had in ſo great a meaſure effected in *Ireland*, from whence, as they were
" informed, they intended to invade this Kingdom, with the aſſiſtance of the
" Papiſts here. They ſaid, nothing could prevent thoſe evils, nor inable them
" to ſuppreſs the Rebellion in *Ireland*, and ſecure Themſelves, but the Inſtant
" granting of that their Petition; which, they hoped, his Majeſty would not
" deny to thoſe, who muſt, in the diſcharge of their duty to his Majeſty and
" the Common-wealth, repreſent unto him, what they found ſo abſolutely
" neceſſary for the preſervation of both; which the Laws of God and man
" injoined them to ſee put in execution, as ſeveral Counties by their daily Peti-
" tions deſired Them to do, and in ſome places begun allready to Do it of Them-
" ſelves. Notwithſtanding all that importunity, the King made no other An-
" ſwer than formerly he had done, " that he would give a full Anſwer at his
" return from *Dover*.

In the mean time, the Houſe of Commons, to whom every day Petitions
are directed by the ſeveral Counties of *England*, profeſſing all Allegiance to
them, govern Abſolutely, the Lords concurring, or rather ſubmitting to what-
ſoever is propoſed; inſomuch as when they had bailed the twelve Biſhops, who
were in the Tower for the Treaſon of their Proteſtation, which they did the
next day after the Bill was paſſed for taking away their Votes, the Houſe of
Commons in great indignation expoſtulated with them, and cauſed them im-
mediately again to be recommitted to the Tower. So they gave their private
intimations to their Correſpondents in the Counties, that they ſhould make
ſmall entries upon the Militia; which was done in many places, the people
chooſing their Officers, and Liſting themſelves, and ſo Training and Exerciſing
under the names of Voluntiers; whereby they had opportunity to unite them-
ſelves, to know their Confederates, obſerve thoſe who were of other opinions,
and to provide Armes and Ammunition againſt they ſhould have occaſion. The
Tower of *London* was at their Devotion, and *Hull* was their own; the Mayor
of that place having been lately ſent for and reprehended, for having ſaid,
" that they ought not to have Soldiers billetted upon them by the Petition of
" Right, and for refuſing to ſubmit that Town, which was His charge, to
" the Government of Mr. *Hotham*; and after a tedious and chargeable attendance,
without being brought to a publick hearing, he was perſwaded to ſubmit; and
ſo was diſcharged.

The Lords bail the 12 Biſhops in the Tower, and the Commons recommit them.

Divers Counties enter upon exerciſing the power of the Militia.

Then they fell to raiſing of Money under pretence of the relief of *Ireland*,
and, for that purpoſe, prepared " an Act for the payment of four hundred
" thouſand pounds to ſuch perſons as were Nominated by themſelves, and to
" be diſburſed and iſſued in ſuch manner, and to ſuch uſes, as the two Houſes
" ſhould direct, which the King confirmed accordingly; whereby they had a
ſtock of credit to raiſe monies, whenſoever they found themſelves put to it:
And this could not be prevented; for the King having committed the carrying
on the War of *Ireland* to them, and they being ingaged both for the payment
of the arrears to the Officers of the Northern Army diſbanded the Summer

Money raiſed underpretence of relieving Ireland.

before, and of the three hundred thouſand pounds to the Scots, his Majeſty was neceſſitated to paſs the Act with ſuch General clauſes, that it might be in their power to divert the money to other uſes, than thoſe, to which it was given; as it afterwards fell out.

The Queen ſhipped for Holland, *the King returns to* Green-wich, *where the Prince meets him.*

The Queen being ſhipped for *Holland*, his Majeſty returned to *Green-wich*, whither he had ſent to the Marqueſs of *Hartford* to bring the Prince of *Wales* from *Hampton-Court* to meet him; of which as ſoon as the Houſes were advertiſed, they ſent a Meſſage to the King, who was upon his way from *Dover*, to deſire him, "that the Prince might not be removed from *Hampton-Court*, "for that they conceived his removal at That time might be a cauſe to pro- "mote Jealouſies and Fears in the hearts of his good Subjects, which they "thought neceſſary to avoid; and, at the ſame time, ſent an expreſs Order to the Marqueſs of *Hartford*, "to require him not to ſuffer the Prince to go to *Greenwich*; but his Lordſhip, chooſing rather to obey the King's commands than Theirs, carried his Highneſs to his Father; of which the Houſes no ſooner were informed, than they ſent ſome Members of both Houſes to *Greenwich* "to bring the Prince from thence to *London*. But when they came thither, they found the King, whom they did not expect there; and ſo made no attempt to perform that Command. The reaſon of this extravagancy (beſides their natural humour to affront the King, and this ſeeming care of the Prince was a Popular thing) was pretended to be an information they had received from a Member of the Houſe.

There was one *Griffith*, a young Welſh-man, of no parts or reputation, but for eminent Licence; this youth had long, with great boldneſs, followed the Court, and pretended to preferment there; and ſo in the Houſe had allways oppoſed, as far as not conſenting, all the undutiful Acts towards the King, and, upon this ſtock of merit, had preſſed more confidently for a reward; and, when the Queen was ready to take ſhipping at *Dover* for *Holland*, he barefaced importuned her to mediate to the King, "that he might be forthwith admitted of "the Prince's Bed-Chamber; the which her Majeſty refuſing, he told his "Companions, that ſince he could not render himſelf conſiderable by doing the "King Service, he would be conſiderable by doing him Diſſervice: and ſo made great haſte to *London*, and openly in the Houſe told them (the ſame day that the Prince was to go to *Greenwich*) "that if they were not exactly "careful, they would ſpeedily loſe the Prince; for, to His knowledge, there "was a deſign and reſolution immediately to carry him into *France*. From which ſenſeleſs and groundleſs information, he was taken into their favour; and, his Malice ſupplying the defect of other parts, was thenceforth taken into truſt, and uſed as their *Bravo* to juſtify all their exceſſes in Taverns and Ordinaries. And I ſaw Mr. *Hambden*, ſhortly after this diſcovery, take him in his arms, telling him, "his Soul rejoiced to ſee, that God had put it into "his heart to take the right way.

To their Meſſage the King ſent them word, "that to Their Fears and Jea- "louſies he knew not what Anſwer to give, not being able to imagine from "what grounds they proceeded; but if any information had been given to "them to cauſe thoſe apprehenſions, he much deſired the ſame might be ex- "amined to the bottom; and then he hoped, that their Fears and Jealouſies "would be Hereafter continued only with reference to his Majeſty's rights "and Honour.

The King's further Anſwer concerning the Militia.

The Queen being gone, and the Prince come to his Father at *Greenwich*, the King ſent an Anſwer to the two Houſes concerning the Militia; "that having, "with his beſt care and underſtanding, peruſed and conſidered that, which had "been ſent him from both Houſes, for the ordering the Militia to be made "an Ordinance of Parliament by the giving his Royal aſſent, as he could by no "means do it for many reaſons, ſo he did not conceive himſelf obliged to it by "any Promiſe made to them in his Anſwer to their former Petition. He ſaid, "he found great cauſe to except againſt the Preface, or Introduction to that "Order; which confeſſed a moſt dangerous and deſperate deſign upon the "Houſe of Commons of late, ſuppoſed to be an effect of the bloody Counſels "of Papiſts, and other ill affected perſons, by which many might underſtand "(looking upon other printed Papers to that purpoſe) his own coming in Per- "ſon to the Houſe of Commons on the fourth of *January*, which begot ſo un-

"happy

" happy a miſunderſtanding between him and his People. And for That, tho' " he believed it, upon the information ſince given him, to be a breach of their " Priviledges, and had offer'd, and was ready, to repair the ſame for the future, " by any Act ſhould be deſired from his Majeſty; yet he muſt declare, and re- " quire to be believed, that he had no other deſign upon that Houſe, or any " Member of it, than to require, as he did, the perſons of thoſe five Gentle- " men he had before accuſed of High-Treaſon, and to declare that he meant " to proceed againſt them Legally, and Speedily; upon which he believed that " Houſe would have delivered them up.

" He called the Allmighty God to witneſs, that he was ſo far from any in- " tention,or thought of force or violence, alltho' that Houſe had not delivered " them according to his demand, or in any caſe whatſoever, that he gave thoſe " his Servants, and others, who then waited on his Majeſty, expreſs charge " and command, that they ſhould give no offence unto any man; nay if they " received any provocation or injury, that they ſhould bear it without return; " and he neither ſaw, nor knew, that any perſon of his train had any other " weapons, but his Penſioners and Guard, thoſe with which they Uſually at- " attend his perſon to Parliament; and the other Gentlemen, Swords. And " therefore he doubted not, but the Parliament would be regardful of his " Honour therein,that he ſhould not undergo any imputation by the raſh and in- " diſcreet expreſſions of any young men then in his train, or by any deſperate " words utter'd by others, who might mingle with them without His con- " ſent or approbation.

" For the perſons Nominated to be the Lieutenants of the ſeveral Counties " of *England*, and *Wales*, he ſaid, he was contented to allow that recommen- " dation; only concerning the City of *London*, and ſuch other Corporations " as by ancient Charters had granted to them the power of the Militia, he " did not conceive that it could ſtand with Juſtice or Policy to alter their Go- " vernment in that particular. And he was willing forthwith to grant to e- " very one of them, that of *London* and other Corporations excepted, ſuch " Commiſſions, as he had granted this Parliament to ſome Lords Lieutenants " by their advice. But if that power were not thought enough, but that more " ſhould be thought fit to be granted to thoſe perſons named, than, by the " Law, is in the Crown it ſelf, he ſaid, he thought it reaſonable that the ſame " ſhould be by ſome Law firſt veſted in Him, with power to transfer it to thoſe " perſons; which he would willingly do: and whatever that Power ſhould be,to " avoid all future doubts and queſtions, he deſired it might be digeſted into an " Act of Parliament, rather than an Ordinance; ſo that all his Subjects might " thereby particularly know, both what they were to do, and what they were " to ſuffer for their neglect; that ſo there might be the leaſt latitude for them " to ſuffer under any Arbitrary power whatſoever.

" To the time deſired for the Continuance of the powers to be granted, he " ſaid, he could not conſent to diveſt himſelf of the Juſt Power, which God, " and the Laws of the Kingdom,had placed in him for the defence of his People, " and to put it into the hands of others for any Indefinite time. And ſince the " ground of their requeſt to him was to ſecure their preſent Fears and Jea- " louſies, that they might with ſafety apply themſelves to his Meſſage of the " 20th of *January*, he hoped that his Grace to them ſince that time, in yield- " ing to ſo many of their deſires,and in agreeing to the perſons now recommend- " ed to him,and the power before expreſſed,to be placed in them, would wholely " diſpel thoſe Fears and Jealouſies; and he aſſured them, that as he had ap- " plied this Unuſual remedy to their Doubts; ſo, if there ſhould be cauſe, he " would continue the ſame to ſuch time, as ſhould be agreeable to the ſame " care he now expreſſed towards them.

" He ſaid, he was ſo far from receding from any thing he had promiſed, " or intended to grant in his former Anſwer, that he had hereby conſented " to all that had been asked of him by that Petition, concerning the Militia " of the Kingdom, except that of *London* and the other Corporations; which " was, to put the ſame into the hands of ſuch perſons, as ſhould be recom- " mended to him by both Houſes of Parliament. And he doubted not but they, " upon well weighing the particulars of that his Anſwer, would find the ſame " more ſatisfactory to their ends, and the Peace and Welfare of all his good

" Subjects, than the way propoſed by that intended Ordinance; to which, for
" thoſe reaſons, he could not conſent.

" And whereas he obſerved by their late Petition, that in ſome places, ſome
" perſons begun allready to intermeddle of Themſelves with the Militia, he
" ſaid, he expected his Parliament ſhould examine the particulars thereof, it
" being a matter of high concernment, and very great conſequence. And he
" required, that if it ſhould appear to them, that any perſon whatſoever had
" preſumed to command the Militia wit houtlawful Authority, they might
" be proceeded againſt according to Law.

Votes of both Houſes upon it

It ſeems this was not the Anſwer they promiſed themſelves; for, at the publiſhing it, they were marvellouſly tranſported, and immediately Voted, both Houſes concurring in it, "that thoſe, who adviſed his Majeſty to give
" that Anſwer, were Enemies to the State, and Miſchievous projectors
" againſt the defence of the Kingdom: That that denial was of that
" dangerous conſequence, that if his Majeſty ſhould perſiſt in it, it would
" hazard the peace and ſafety of all his Kingdoms, unleſs ſome ſpeedy
" remedy were applied by the wiſdom, and authority of both Houſes of
" Parliament: And that ſuch parts of the Kingdom, as had allready put
" themſelves into a Poſture of defence againſt the common danger, had done
" nothing but what was juſtifiable, and was approved by both Houſes. And
" having cauſed theſe, and ſuch other Reſolutions to be immediately pub-
" liſhed in print, that their friends abroad might know what they had to
" do, they ſent a Committee of both Houſes to the King at *Theobalds*

A Petition of both Houſes to the King at **Theobalds.**

with another Petition; in which they told him, "that their juſt apprehen-
" ſions of ſorrow and fear, in reſpect of the Publick dangers and miſeries
" like to fall upon his Majeſty and the Kingdom, were much increaſed up-
" on the receipt of his unexpected denial of their moſt Humble and Neceſ-
" ſary Petition; concerning the Militia of the Kingdom; and that they
" were eſpecially grieved, that wicked and miſchievous Counſellors ſhould ſtill
" have that power with him, as in that time of approaching and imminent
" Ruin, he ſhould rather incline to that, which was apt to further the ac-
" compliſhment of the deſires of the moſt malignant Enemies of God's true
" Religion, and of the Peace and Safety of himſelf, and his Kingdom, than
" to the dutiful and faithful Counſel of his Parliament. Wherefore, they
" ſaid, they were inforced in all Humility to proteſt, that, if his Majeſty
" ſhould perſiſt in that denial, the dangers and diſtempers of the Kingdom,
" were ſuch, as would endure no longer delay: but unleſs he ſhould be gra-
" ciouſly pleaſed to aſſure them by thoſe Meſſengers, that he would ſpeedily
" apply his Royal aſſent to the ſatisfaction of their former deſires, they
" ſhould be inforced, for the ſafety of his Majeſty and his Kingdoms, to diſ-
" poſe of the Militia by the Authority of both Houſes, in ſuch a manner
" as had been propounded to him; and they reſolved to do it according-
" ly.

"They likewiſe moſt Humbly beſought his Majeſty to believe, that the
" dangerous and deſperate deſign upon the Houſe of Commons, mentioned
" in their Preamble, was not inſerted with any intention to caſt the leaſt
" aſperſion upon his Majeſty; but therein they reflected upon that Malig-
" nant Party, of whoſe bloody and malicious practices they had ſo often
" experience, and from which they could never be ſecure, unleſs his Ma-
" jeſty would be pleaſed to put from him thoſe wicked and unfaithful Counſel-
" lors, who interpoſed their own corrupt and malicious deſigns betwixt his
" Majeſty's goodneſs and wiſdom, and the proſperity and contentment of
" himſelf, and of his People: And that for the diſpatch of the great Affairs of the
" Kingdom, the ſafety of his perſon, the protection and comfort of his Subjects, he
" would be pleaſed to continue his abode near to *London*, and the Parlia-
" ment; and not to withdraw himſelf to any the remoter parts, which if
" he ſhould do, muſt needs be a cauſe of great danger and diſtraction.

"That he would likewiſe be graciouſly pleaſed to continue the Prince's
" Highneſs in thoſe parts at St. *James*'s, or any other of his Houſes near
" *London*; whereby the deſigns, which the Enemies of the Religion, and
" Peace of the Kingdom might have upon his Perſon, and the Jealouſies
" and Fears of his People might be prevented.

"And

"And they beſought him to be informed by them, that, by the Laws of "the Kingdom, the power of raiſing, ordering, and diſpoſing of the Mi- "litia within any City, Town, or other place, could not be granted to any "Corporation by Charter, or otherwiſe, without the Authority and Conſent "of Parliament: And that thoſe parts of the Kingdom, which had put "themſelves in a poſture of defence againſt the Common danger, had therein "done nothing but according to the Declaration and Direction of both "Houſes, and what was Juſtifiable by the Laws of the Kingdom. All "which their moſt humble Counſel and deſires they prayed him to accept, "as the effect of that duty and Allegiance, which they owed unto him, and "which would not ſuffer them to admit of any thoughts, intentions, or in- "deavours, but ſuch as were neceſſary and advantageous for his greatneſs, "and honour, and the ſafety and proſperity of the Kingdom, according to "that Truſt and Power which the Laws had repoſed in them.

The King's preſent Anſwer.

Aſſoon as the Petition was read, the King told them, that preſented it, "that he was ſo much amazed at their Meſſage, that he knew not what to "Anſwer. He ſaid, they ſpoke of Jealouſies and Fears, but he deſired them "to lay their hands to their hearts, and ask themſelves, whether He might "not likewiſe be diſturbed with Fears and Jealouſies; and if ſo, he aſſured "them, that Meſſage had nothing leſſened them.

"For the Militia, he ſaid, he had thought ſo much of it before he "ſent his Anſwer, and was ſo well aſſured that the Anſwer was agreeable "to what, in juſtice or reaſon, They could ask, or He in honour grant, "that he ſhould not alter it in any point.

"For his reſidence near them, he ſaid, he wiſhed it might be ſo ſafe and "honourable, that he had no cauſe to abſent himſelf from *White-Hall*: he "bid them ask themſelves, whether he had not? For his Son, he ſaid, he "ſhould take that care of him, which ſhould juſtify him to God, as a Father "and to his Dominions, as a King. To conclude, he aſſured them upon "his honour, that he had no thought but of Peace, and Juſtice to his "People; which he would by all fair means ſeek to preſerve and main- "tain, relying upon the goodneſs and providence of God for the preſervati- "on of himſelf, and his Rights.

The Reſolution of both Houſes upon it.

This, being ſuddainly, and with more than uſual quickneſs ſpoken by the "King, much appaled them; but they were too far ingaged to retire; and therefore, aſſoon as it was reported to the Houſes, they reſolved, upon debate, "that the Kingdom ſhould be forthwith put into a poſture "of defence, by authority of both Houſes, in ſuch a way as had been for- "merly agreed upon by both Houſes; and that a Declaration ſhould be "ſpeedily ſent unto the King, containing the cauſes of their juſt Fears and "Jealouſies, and to make it evident that any, that were entertained againſt "them, were groundleſs; Ordering at the ſame time, "that all the Lords "Lieutenants of any Counties in *England*, who had been formerly ſo con- "ſtituted by the King by his Commiſſions under the great Seal of *England*, "ſhould immediately bring in thoſe Commiſſions to be cancelled as illegal: Allbeit ſome ſuch Commiſſions had been granted, upon their own deſire, ſince the beginning of the Parliament, as particularly to the Earl of *Eſſex* to be Lord Lieutenant of *York-ſhire*, and to the Earl of *Salisbury* for *Dorſet-ſhire*.

They ſend to the Earl of Northumberland *to provide a Fleet.*

Then both Houſes ſent to the Earl of *Northumberland*, being High Admiral of *England*, "that they had received advertiſement of extraordinary pre- "parations made, by the neighbouring Princes, both by Land and Sea; by "which an apprehenſion was raiſed in both Houſes, that the publick Honour, "Peace, and Safety of his Majeſty, and his Kingdom, could not be ſecured, "unleſs a timely courſe was taken for the putting the Kingdom into a con- "dition of defence at Sea, as well as at Land: and they did therefore Order "him forthwith to give effectual direction that all the ſhips belonging "to his Majeſty's Navy, and fit for Service, and not allready abroad, or de- "ſigned for the Summers Fleet, ſhould be rigged, and put in ſuch a readineſs, as "that they might be ſoon fitted for the Sea: and that his Lordſhip would "alſo make known to the Maſters, and Owners of other Ships, in any of the Harbours of the Kingdom, as might be of uſe for the Publick defence,

" that it would be an acceptable ſervice to the King and Parliament, if They " would likewiſe cauſe their Ships to be rigged, and ſo far put into a readineſs, " as they might, at a ſhort warning, likewiſe be ſet to Sea upon any emer- " gent occaſion; which would be a means of great ſecurity to his Majeſty " and his Dominions. To which the Earl returned an Anſwer full of ſub- miſſion and obedience.

Their Declaration to his Majeſty.

I Have been aſſured from perſons of very good Credit, and converſant with thoſe Councils, that they had in deliberation and debate to ſend, and take the Prince from his Father at *Theobalds* by force; but that deſign was quickly laid aſide, when they heard that the King was removed from thence to *Newmarket*, and was like to make a further progreſs. So they uſed all poſſible expedition in preparing their Declaration, which they directed to his Majeſty, and in which they told him, " that alltho' that Anſwer, he had given to " their Petition at *Theobalds*, did give juſt cauſe of ſorrow to them; yet it " was not without ſome mixture of Confidence and Hope, conſidering thoſe " expreſſions proceeded from the miſapprehenſions of their Actions and Inten- " tions; which, having no ground of truth or reality, might, by his juſtice and wiſ- " dom, be removed, when he ſhould be fully informed, that thoſe Fears and " Jealouſies of theirs, which his Majeſty thought to be cauſeleſs, and with- " out any juſt ground, did neceſſarily and clearly ariſe from thoſe dangers and " diſtempers, into which the miſchievous and evil Councils about him had " brought the Kingdom. And that thoſe Other Fears and Jealouſies by which " his Favour, his Royal Preſence, and Confidence, had been withdrawn from " his Parliament, had no foundation, or ſubſiſtence in any action, intention, " or miſcarriage of Theirs; but were merely grounded upon the falſhood and " malice of thoſe, who for the ſupporting and fomenting their own wicked " deſigns againſt the Religion, and Peace of the Kingdom, did ſeek to de- " prive his Majeſty of the ſtrength, and the affection of his People; and " Them of his Grace and Protection; and thereby, to ſubject both his Per- " ſon, and the whole Kingdom, to ruin and deſtruction.

" That to ſatisfy his Majeſty's judgment and conſcience in both thoſe " points, they deſired to make a free, and clear Declaration of the cauſes of " their Fears and Jealouſies, in ſome particulars.

1. " That the deſign of altering Religion, in this and his other King- " doms, had been potently carried on, by thoſe in greateſt Authority about " him, for divers years together: and that the Queen's Agent at *Rome*, and " the Popes Agent, or Nuntio, Here, were not only evidences of that deſign, " but had been great Actors in it.

2. " That the War with *Scotland* was procured to make way for that in- " tent, and cheifly fomented by the Papiſts, and others Popiſhly affected, " whereof they had many evidences, eſpecially their free and general contri- " bution to it.

3. " That the Rebellion in *Ireland* was framed, and contrived, here in " *England*; and that the Engliſh Papiſts ſhould have riſen about the ſame " time, they had ſeveral teſtimonies and advertiſements from *Ireland*; and " that it was a common Speech amongſt the Rebels (with which, they ſaid, " other evidences did concur, as the information of a Miniſter who came " out of *Ireland*; the Letter of one *Triſtram Whetcomb* in *Ireland* to his " Brother in *England*, and many others) that they would recover unto " his Majeſty his Royal Prerogative, wreſted from him by the Puritan " faction in the Houſes of Parliament in *England*; and would maintain " Epiſcopal juriſdiction, and the lawfulneſs thereof; which, they ſaid, " were the two quarrels, upon which his late Army in the North ſhould " have been incenſed againſt them.

4. " The cauſe they had to doubt that the late deſign, ſtyled the Queen's " pious intention, was for the alteration of Religion in this Kingdom, for " ſucceſs whereof the Popes Nuntio (the Count *Rozetti*) injoined faſting " and praying to be obſerved every week by the Engliſh Papiſts; which, " they ſaid, appeared to them by one of the original Letters directed by him " to a Prieſt in *Lancaſhire*.

5. " The boldneſs of the Iriſh Rebels in affirming they do nothing but by " Authority from the King; that they call themſelves the Queen's Army;

" that

" that the prey and booty they take from the Engliſh, they mark with the " Queen's mark; that their purpoſe was to come into *England*, when their " buſineſs was done in *Ireland*; and ſundry other things of that kind, which, " they ſaid, were proved by one *Oconelly*, and others; but eſpecially in the " forementioned Letter from *Triſtram Whetcomb*, wherein there was this " paſſage, that many other Speeches they utter, concerning Religion, and our " Court of *England*, which he dares not commit to paper.

6. " The many attempts to provoke his late Army, and the Army of the " Scots, and to raiſe a Faction in the City of *London*, and other parts of the " Kingdom. That thoſe, who had been Actors in theſe buſineſſes, had their " dependence, their countenance, and incouragement, from the Court; witneſs " the Treaſon, whereof Mr. *Jermyn*, and others, ſtood accuſed; who they " ſaid, was tranſported beyond Seas by Warrant under his Majeſty's own hand, " after he had given aſſurance to his Parliament, that he had laid a ſtrict com- " mand upon his Servants, that none of them ſhould depart from Court. And " that dangerous Petition delivered to Captain *Leg* by his Majeſty's own hand, " accompanied with a direction Signed with C. R.

7. " The falſe and ſcandalous accuſation againſt the Lord *Kimbolton*, and the " five Members of the Houſe of Commons, tender'd to the Parliament by his " own Command, and endeavoured to be juſtified in the City by his own pre- " ſence and perſwaſion, and to be put in execution upon their perſons by his " demand of them in the Houſe of Commons, in ſo terrible and violent a man- " ner, as far exceeded all former breaches of Priviledges of Parliament acted by " his Majeſty, or any of his Predeceſſors: and they ſaid, whatever his own in- " tentions were, divers bloody and deſperate perſons, that attended him, diſ- " covered their affections, and reſolutions, to have maſſacred and deſtroyed the " Members of that Houſe, if the abſence of thoſe perſons accuſed had not, by " God's providence, ſtopp'd the giving that *word*, which they expected for the " ſetting them upon that barbarous and bloody Act. The liſting of Officers, " and Soldiers, for a Guard at *White-Hall*, and ſuch other particulars.

8. " That, after a Vote had paſſed in the Houſe of Commons, declaring that " the Lord *Digby* had appeared in a Warlike manner at *Kingſton* upon *Thames*, " to the terrour and affright of his Majeſty's good Subjects, and diſturbance of " the publick Peace of the Kingdom, he ſhould nevertheleſs be in that credit " with his Majeſty, as to be ſent away by his Majeſty's own Warrant to Sir " *J. Pennington* to land him beyond Seas; from whence he vented his own Tray- " terous conceptions, that his Majeſty ſhould declare himſelf, and retire to a " place of ſtrength; as if he could not be ſafe amongſt his People. Which " falſe and malicious counſel, and advice, they ſaid, they had great cauſe to " doubt, made too deep an impreſſion upon his Majeſty, conſidering the courſe " he was pleaſed to take of abſenting himſelf from his Parliament, and carry- " ing the Prince with him; which ſeemed to expreſs a purpoſe in his Majeſty " to keep himſelf in a readineſs for the acting of it.

9. " The many advertiſements they had from *Rome*, *Paris*, *Venice*, and " other parts, that they ſtill expected, that his Majeſty had ſome great deſign " in hand, for the altering of Religion, and the breaking the neck of his Par- " liament. That the Popes Nuntio had ſollicited the Kings of *France*, and " *Spain*, to lend his Majeſty four thouſand men apiece, to help to maintain his " Royalty againſt the Parliament. And, they ſaid, as that Forreign Force " was the moſt pernicious, and malignant deſign of all the reſt; ſo they hoped " it was, and ſhould allways be, fartheſt from his Majeſty's thoughts; becauſe " no man would believe he would give up his People, and Kingdom, to be " ſpoil'd by ſtrangers, if he did not likewiſe intend to change both his own " profeſſion in Religion, and the Publick profeſſion of the Kingdom, that ſo he " might be ſtill more aſſured of thoſe Forreign States of the Popiſh Religion " for their future ſupport, and defence.

" Theſe, they ſaid, were ſome of the grounds of their Fears and Jealouſies, " which had made them ſo earneſtly implore his Royal Authority, and Pro- " tection, for their defence and ſecurity, in all the ways of Humility and Sub- " miſſion; which being denied by his Majeſty, ſeduced by evil Counſel, they " did, with ſorrow for the great and unavoidable miſery and danger, which " was thereby like to fall upon his own perſon, and his Kingdoms, apply them-

" ſelves to the uſe of that power for the ſecurity and defence of both, which, " by the fundamental Laws and Conſtitutions of the Kingdom, reſided in " them; yet ſtill reſolving to keep themſelves within the bounds of faithful- " neſs, and allegiance to his Sacred Perſon, and Crown.

" To the Fears and Jealouſies expreſſed by his Majeſty, when he ſaid, that " for his reſidence near the Parliament, he wiſhed it might be ſo ſafe and ho- " nourable, that he had no cauſe to abſent himſelf from *White-Hall*: That, " they ſaid, they took as the greateſt breach of Priviledge, that could be offer'd; " as the heavieſt miſery to Himſelf, and imputation upon Them, that could be " imagined, and the moſt miſchievous effect of evil Councils; it rooted up the " ſtrongeſt Foundation of the ſafety and honour, the Crown afforded; it ſeem- " ed as much as might be, they ſaid, to caſt upon the Parliament ſuch a Charge, " as was inconſiſtent with the nature of that great Council, being the Body, of " which his Majeſty was the Head; it ſtruck at the very Being both of the " King and Parliament, depriving his Majeſty, in his own apprehenſion, of " Their fidelity, and Them of His Protection; which are the natural bonds " and ſupports of Government, and Subjection.

" They ſaid, they had, according to his Majeſty's deſire, laid their hands up- " on their hearts; they had asked themſelves in the ſtricteſt examination of " their Conſciences; they had ſearched their affections, their thoughts, con- " ſidered their actions; and they found none, that could give his Majeſty any " juſt occaſion to abſent himſelf from *White-Hall*, and his Parliament; but " that he might, with more honour and ſafety, continue There, than in any " other place. They ſaid, his Majeſty laid a General tax upon them: if he " would be graciouſly pleaſed to let them know the Particulars, they ſhould " give a clear, and ſatisfactory Anſwer. But, they ſaid, they could have no " hope of ever giving his Majeſty ſatisfaction, when thoſe Particulars, which " he had been made believe were true, yet, being produced, and made known " to them, appeared to be falſe; and his Majeſty notwithſtanding would nei- " ther puniſh, nor produce the Authors, but go on to contract New fears and " jealouſies, upon General and Uncertain grounds; affording them no means, " or poſſibility of Particular Anſwer to the clearing of themſelves, of which " they gave him theſe Inſtances. 1. The Speeches pretended to be ſpoken at " *Kenſington* concerning the Queen, which had been denied and diſavowed; yet " his Majeſty had not named the Authors. 2. The Charge and Accuſation of " the Lord *Kimbolton*, and the five Members, who refuſed no Trial or Ex- " amination, which might ſtand with the Priviledges of Parliament; yet no " Authors, no Witneſſes, were produced, againſt whom they might have re- " paration for the great injury, and infamy caſt upon them.

" They beſought his Majeſty to conſider in what State he was, how eaſy " and fair a way he had to happineſs, honour, greatneſs, and plenty, and ſecu- " rity, if he would joyn with his Parliament, and his faithful Subjects, in " the defence of the Religion, and the publick good of the Kingdom. That, " they ſaid, was all they expected from him, and for that, they would " return to him their lives, fortunes, and utmoſt endeavours to ſupport his " Majeſty, his juſt ſoveraignty, and power over them. But, they ſaid, it was " not Words, that could ſecure them in thoſe their Humble deſires; they " could not but too well and ſorrowfully remember, what gracious Meſſages, " they had from him the laſt Summer; when, with His privity, the bring- " ing up of the Army was in agitation: They could not but with the like af- " fections recall to their minds, how, not two days before he gave direction for " the aforementioned Accuſation, and his own Coming to the Commons Houſe, " that Houſe received from him a Gracious Meſſage, that he would allways " have care of Their Priviledges, as of his own Prerogative; and of the " ſafety of Their Perſons, as of his own Children.

" They ſaid, that which they expected, and which would give them aſſurance " that he had no thought but of Peace, and Juſtice to his People, muſt be ſome " Real effect of his goodneſs to them, in granting thoſe things, which the " preſent neceſſity of the Kingdom did inforce them to deſire. And in the firſt " place, that he would be graciouſly pleaſed to put from him thoſe wicked, " and miſchievous Counſellors, which had cauſed all thoſe dangers, and diſ- " tractions; and to continue his own reſidence, and the Prince's, near *London*,

" and

" and the Parliament; which, they hoped, would be a happy beginning of con-
" tentment, and Confidence between him and his people; and be followed
" with many ſucceeding bleſſings of Honour and Greatneſs to his Majeſty, and
" of ſecurity and proſperity to Them.

In the debate of this Declaration, the like whereof had never before been heard of in Parliament, in which they took his Majeſty's doubt of his ſafety at *White-Hall* ſo heavily, that, they ſaid, " it ſeemed to caſt ſuch " a charge upon the Parliament, as was inconſiſtent with the nature of " that great Council, (ſo apprehenſive they were of the leaſt ſuſpition of want of freedom) the Prevalent Party carried themſelves with that pride, and impetuoſity, that they would endure no oppoſition or diſpute; inſomuch as Sir *Ralph Hopton* (who indeed was very grievous to them for not complying with them) for objecting againſt ſome ſharp expreſſions in the Declaration, (before it paſſed the Houſe, and when the Queſtion was, whether it ſhould paſs) as being too diſtant from that reverence, which ought to be uſed to the King; and for ſaying, upon a Clauſe, in which they mentioned their General Intelligence from *Rome*, *Venice*, *Paris*, and other places, of ſome deſign the King had upon Religion, and the Parliament, from whence they ſeemed to conclude that the King would change his Religion, " That they ſeemed to ground an opinion of the King's Apoſtacy " upon a leſs evidence, than would ſerve to hang a fellow for ſtealing a " Horſe, was committed to the Tower of *London*, " for laying an impu- " tation upon that Committee, which had drawn up the Declaration. Notwithſtanding which, after they had impriſoned him, they thought fit to make That expreſſion leſs groſs, and poſitive; tho' as it is ſet down above (in which words it paſſed, and was delivered to the King) it was thought by ſtanders by to be very unagreeable to the Gravity of a wiſe Court, and to the Duty of Subjects.

But in this particular, in oppreſſing all thoſe, who were of different opinions from them, their carriage was ſo notorious and terrible, that Spies were ſet upon, and inquiries made upon all private, light, cauſual diſcorſes, which fell from thoſe, who were not Gracious to them: As Mr. *Trelaune*, a Member of the Houſe of Commons, and a Merchant of great reputation, was expelled the Houſe, and committed to Priſon, for having ſaid, in a Private diſcourſe in the City, to a Friend, " that the Houſe could not ap- " point a Guard for themſelves without the King's conſent, under pain of High-Treaſon: Which was proved by a fellow, who pretended to overhear him; when the perſon himſelf, with whom the conference was held, declared that he ſaid, it Might be imputed, to them for High-Treaſon: and it was confeſſed on all parts, that the words were ſpoken long before the diſcovery, and ſome days before the Houſe had Reſolved, " that they " would have a Guard. And afterwards, upon the old ſtock of their diſlike, when the War begun to break out, they again impriſoned this honeſt Gentleman; ſeiſed upon all his Eſtate, which was very good; and ſuffer'd him to dye in Priſon for want of ordinary relief, and refreſhment.

And in this very time, we ſpeak of, and in the very buſineſs of the Militia, when every day very great multitudes of Petitions from moſt of the Counties of *England*, and from the City of *London*, were preſented to both Houſes, to deſire they might be put into a poſture of defence; and that they would cauſe the Ordinance for the Militia to be ſpeedily executed, which was alledged to be an inſtance of the people's deſire throughout the Kingdom, and the chief ground of their proceeding; the moſt ſubſtantial Citizens of *London* both in reputation, and Eſtate, finding that the Militia of that City, with which by their Charter, and Conſtant Practice, the Lord Mayor had been allways intruſted, was now with a moſt extravagant power to be committed to a number of Factious perſons of the City, part of whom conſiſted of men of no fortune, or reputation, reſolved to Petition both Houſes " not to alter the original conſtitution, and right of their City: and, to that purpoſe, a Petition was ſigned by ſome hundreds, and very probably would in few days have been ſubſcribed by all, or moſt of the ſubſtantial Citizens of *London*. The Houſe had notice of this Petition, which they called another Coſpiracy and Plot againſt the Parliament, and imme-

diately imployed a Member of their own to procure a ſight of it; who, under a truſt of redelivering it, got it into his hands, and brought it to the Houſe of Commons; upon which, ſome principal Citizens, who had ſubſcribed it, were examined, and committed to Priſon; and a direction given, that a Charge and Impeachment ſhould be prepared againſt the Recorder of *London*, who, they heard, had been of Council in the drawing up, and preparing that Petition, and they knew, was oppoſite to their Tumultuary proceedings. So when the chief Gentlemen of *Oxford-ſhire* heard, that a Petition had been delivered to the Houſe of Commons in their Name, and the name of that County, againſt the eſtabliſhed Government of the Church, and for the exerciſe of the Militia, they aſſembled together to draw up a Petition diſavowing the former, and to deſire, "that "the ſetled Laws might be obſerved; of which the Lord *Say* having notice, he procured the chief Gentlemen to be ſent for as Delinquents, and ſo ſuppreſſed that Addreſs: And this was the meaſure of their Juſtice in many other particulars of the ſame nature, receiving and cheriſhing all mutinous, and ſeditious Petitions, and diſcountenancing ſuch as beſought the continuance, and vindication, of the ſo long celebrated and happy Government in Church, and State; the prime leaders of that Faction not bluſhing, in publick debates in the Houſe, to aver "that no man ought to "Petition for the Government eſtabliſhed by Law, becauſe he had allready "his Wiſh; but they that deſired an Alteration, could not otherwiſe "have their deſires known; and therefore were to be countenanced.

They likewiſe preſent the King with Reaſons for his continuance near the Parliament.

The Committee, which preſented the Declaration to the King at *New-Market*, preſented likewiſe additional reaſons, as they called them, for his Majeſty's return, and continuance near the Parliament; as a matter, in their apprehenſion, of ſo great neceſſity, aud importance towards the preſervation of his Perſon, and his Kingdom: and they ſaid.

"They could not think they diſcharged their duties in the ſingle ex-"preſſion of their deſire, unleſs they added ſome further reaſons to back "it with. 1. His Majeſty's abſence would cauſe men to believe, that it was "out of deſign to diſcourage the undertakers, and hinder the other proviſions for raiſing money for defence of *Ireland*. 2. It would very much "hearten the Rebels There, and diſaffected perſons in This Kingdom, as "being an evidence, and effect of the Jealouſy and Diviſion between his "Majeſty, and his people. 3. That it would much weaken, and withdraw "the Affection of the Subject from his Majeſty; without which, a Prince "is deprived of his chiefeſt ſtrength, and luſtre, and left naked to the "greateſt dangers and miſeries, that can be imagined. 4. That it would "invite, and incourage the Enemies of our Religion and the State in for-"reign parts, to the attempting, and acting of their evil deſigns, and in-"tentions towards us. 5. That it did cauſe a great interruption in the "proceedings of Parliament. Thoſe conſiderations, they ſaid, threaten'd ſo "great dangers to his Perſon, and to all his Dominions, that, as his Great "Council, they held it neceſſary to repreſent to him this their faithful "Advice, that ſo, whatſoever ſhould follow, They might be excuſed before "God, and Man.

Whilſt that Declaration was reading, his Majeſty expreſſed ſome paſſion upon particular expreſſions; and once, when that paſſage was read, that takes notice "of the tranſportation of Mr. *Jermyn* by his Majeſty's own Warrant, "after he had given his word, that he had commanded that none of his "Servants ſhould depart from Court, interupted the Earl of *Holland*, who read it, and ſaid, "that's Falſe; and when he was told, "it related not "to the Date, but the Execution of the Warrant, his Majeſty ſaid, "It

His Majeſty's Anſwer to both.

"might have been better expreſſed then: It is a high thing to tax a "King with breach of Promiſe. But after both the Declarations, and Reaſons were read, the King, after a ſhort pauſe, ſaid to them.

"I am confident that you expect not I ſhould give you a ſpeedy Anſwer "to this ſtrange, and unexpected Declaration; and I am ſorry, in the di-"ſtraction of this Kingdom, you ſhould think This way of Addreſs to be "more convenient, than That propounded, by my Meſſage of the twentieth "of *January* laſt, to both Houſes. As concerning the grounds of your Fears

"and

" and Jealouſies, I will take time to Anſwer them particularly; and doubt " not but I ſhall do it to the ſatisfaction of all the world. God in His good " time will, I hope, diſcover the ſecrets and bottoms of all Plots, and Treaſons; " and Then I ſhall ſtand right in the eyes of all my People. In the mean " time I muſt tell you, that I rather expected a vindication for the imputa- " tion laid upon me in Mr. *Pym's* Speech, than that any more General ru- " mors, and diſcourſes, ſhould get cedit with you. For My Fears and doubts, " I did not think they ſhould have been thought ſo trivial and groundleſs, " whilſt ſo many ſeditious Pamphlets, and Sermons, are looked upon, and " ſo great Tumults remember'd, unpuniſhed, and uninquired into. I ſtill " confeſs my Fears, and call God to witneſs, that they are greater for the " true Proteſtant profeſſion, my People, and Laws, than for my own rights, " or ſafety; tho' I muſt tell you, I conceive none of theſe are free from " danger. What would you have? Have I violated your Laws? Have I de- " nied to paſs any one Bill for the eaſe, and ſecurity of my Subjects? I do not " ask you what You have done for Me. Are my People tranſported with " Fears and Apprehenſions? I have offer'd as free, and general a Pardon as " your ſelves can deviſe. There is a Judgment from Heaven upon this Na- " tion, if theſe diſtractions continue. God ſo deal with Me, and Mine, as " all my thoughts, and intentions, are upright for the maintenance of the " true Proteſtant profeſſion, and for the obſervation and preſervation of the Laws " of the Land: and I hope God will bleſs, and aſſiſt thoſe Laws for my preſervation.

This being ſuddainly, and with ſome vehemence, ſpoken by his Majeſty and he having taken further time to Anſwer the Declaration, and the Reaſons, the Committee beſought him, " ſince they were to carry back with them " no other Anſwer, that his Majeſty would vouchſafe to give them what he " had ſpoken, in writing; which the next morning, he did: And then the Earl of *Holland* again deſired him, " that he would reſide nearer his Parliament; whereunto the King briefly Anſwered, " I would you had given me cauſe; but I am ſure " this Declaration is not the way to it. Then being asked by the Earl of *Pembroke*, whether the Militia might not be granted, as was deſired by the Parliament, for a time? He Anſwered, " By God not for an hour. " You have asked that of me in this, was never asked of a " King, and with which I will not truſt my Wife, and Children. He " told them, he could not have believed the Parliament would have ſent him " ſuch a Declaration, if he had not ſeen it brought by ſuch perſons: and ſaid, " he was Sorry for the Parliament, but Glad he had it; for by that he doubted " not to ſatisfy his People. He ſaid they ſpoke of ill Councils; but he was " confident They had worſe Information, than He had Councils. He told " them, the buſineſs of *Ireland* would never be done in the way they were " in, four hundred would never do that work; it muſt be put into the hands " of One: and, he ſaid, if He were truſted with it, he would pawn his Head " to end that work.

Aſſoon as the Committee returned and reported, what Anſwer they had received, and in what diſpoſition and temper they found, and left the King; it was Ordered, that their Declaration, which they had ſent to him, ſhould be ſpeedily printed, and carefully diſperſed throughout the Kingdom, that the People might ſee upon what terms they ſtood; and all other poſſible courſes were taken to poyſon the hearts, and affections of the Subjects, and to ſuppreſs all thoſe, who, in any degree, ſeemed to diſlike their high proceedings. Above all, care was taken to place ſuch Preachers, and Lecturers, in the moſt populous Towns and Pariſhes, as were well known to Abhor the preſent Government, and temperature of Church and State; many of whom were recommended, and poſitively injoined, and impoſed upon Pariſhes, by the Houſe of Commons; and others, by ſuch Factious Members, whoſe reputation was moſt current: and all Canonical Clergy-men, and Orthodox Divines, were, with equal induſtry, diſcountenanced, impriſoned, or forced to a long attendance upon Committees, or the Houſe (which was worſe than Impriſonment) under the notion and imputation of Scandalous Miniſters. Which charge and reproach reached all men, whoſe Inclinations they liked not, or whoſe Opinions they ſuſpected. And that they might be ſure to be as ſtrong and abſolute at Sea, as at Land, they appointed the Lord Admiral to ſend the Names of all thoſe Captains of Ships, who

were to attend the Fleet for that Summer Service, to them, to the end they might have ſuch Men in whom they might Confide; which his Lordſhip moſt punctually obſerved. By which they helped to free him of thoſe Officers, whom he could not plauſibly have diſcharged; and ſtruck out the names of thoſe, whoſe Afections, or Relations they thought themſelves not ſecure in.

The King's Meſſage to both Houſes in his way to York.

The King thought it now time, according to his former reſolution which he had not communicated to many, to remove to *York*, which was a place of good reception, and conveniency, for thoſe, who were willing to attend him; and, to the end that there might be publick notice of it, he ſent from *Huntington*, when he was upon his Journey, a Meſſage to both Houſes. " That, " being then in his remove to his City of *York*, where he intended to " make his reſidence for ſome time, he thought fit to ſend that Meſſage " to them, and very earneſtly to deſire them, that they would uſe all poſſible " induſtry in expediting the buſineſs of *Ireland*; in which they ſhould find ſo " chearful a concurrence from his Majeſty, that no inconvenience ſhould hap- " pen to that Service by his abſence, he having all that paſſion for the re- " ducing that Kingdom, which he had expreſſed in his former Meſſages, and " being, by Words, unable to manifeſt more affection to it, than he had en- " deavoured to do by thoſe Meſſages: having likewiſe done all ſuch Acts, as he " had been moved unto by his Parliament. Therefore, if the misfortunes and " calamities of his poor Proteſtant Subjects there ſhould grow upon them (tho' " he ſhould be deeply concerned in, and ſenſible of their ſufferings) he ſaid, he " ſhould waſh his hands before the world from the leaſt imputation of ſlackneſs " in that moſt neceſſary, and pious work.

" And, that he might leave no way unattempted, which might beget a good " underſtanding between him, and his Parliament, he ſaid, he thought it ne- " ceſſary to declare, that, as He had been ſo tender of the Priviledges of Parlia- " ment, that he had been ready and forward to retract any Act of his own, which " he had been informed had trenched upon Their Priviledges; ſo he expected " an equal tenderneſs in Them of His known Prerogatives, which are the " unqueſtionable Priviledges, of the Kingdom; amongſt which, he was aſſur- " ed, it was a Fundamental one, that his Subjects could not be obliged to o- " bey any Act, Order, or Injunction, to which He had not given his Conſent.

" And therefore, he thought it neceſſary to publiſh, that he expected, and " thereby required, obedience from all his loving Subjects to the Laws eſta- " bliſhed; and that they preſumed not upon any pretence of Order, or " Ordinance, to which his Majeſty was no Party, concerning the Militia, or " any other thing, to do, or execute what was not warrantable by thoſe Laws; " he being reſollved to keep the Laws Himſelf, and to require obedience to " them from all his Subjects.

" He once more recommended unto them the ſubſtance of his Meſſage of " the twentieth of *January* laſt; that they would compoſe, and digeſt with " all ſpeed, ſuch Acts as they ſhould think fit for the preſent, and future " eſtabliſhment of their Priviledges, the free and quiet injoying their Eſtates " and fortunes, the liberties of their perſons, the ſecurity of the true Reli- " gion, Then profeſſed in the Church of *England*, the maintaining his Regal " and Juſt Authority, and ſetling his Revenue; he being moſt deſirous to " take all fitting and juſt ways, which might beget a happy underſtanding be- " tween him and his Parliament, in which he conceived his greateſt Power, " and Riches did conſiſt.

Both Houſes Votes concerning the Militia.

I have not known both Houſes in more choler and rage, than upon the receiving this Meſſage, which came early to them on *Wedneſday* the ſixteenth of *March*. Now the day before had been ſpent in preparing all things ready for the execution of the Ordinance of the Militia; They had Voted, and Reſolved, " that it was not any way againſt the Oath of Allegiance, that " all the Commiſſions to Lieutenants under the geart Seal were Illegal, and " Void, and that whoſoever ſhould execute any power over the Militia by " colour of any Commiſſion of Lieutenancy, without conſent of both Houſes " of Parliament, ſhould be accounted a diſturber of the Peace of the Kingdom. " Then they agreed upon this propoſition, that the Kingdom Had been " of late, and Still was, in ſo evident and imminent danger, both from Ene- " mies abroad, and a Popiſh and diſcontented Party at home, that there was

" an

" an urgent, and inevitable neceſſity of putting his Majeſty's Subjects into a " poſture of defence, for the ſafeguard both of the King, and his People; and " that the Lords and Commons, apprehending that danger, and being ſenſible " of their own duty to provide a ſuitable prevention, had, in ſeveral Petitions, " addreſſed themſelves to his Majeſty for the ordering, and diſpoſing the " Militia of the Kingdom in ſuch a way, as was agreed npon, by the wiſdom " of both Houſes, to be moſt proper for the preſent exigence of the " Kingdom: Yet they could not obtain it; but his Majeſty did " ſeveral times refuſe to give his Royal aſſent thereunto. Upon this " Propoſition, they Reſolved, " that in that caſe of extreme danger, and of " his Majeſty's refuſal, the Ordinance agreed on by both Houſes for the " Militia did oblige the people, and ought to be obeyed, by the Fundamen- " tal Laws of the Kingdom; and that ſuch perſons as ſhould be Nominated " Deputy Lieutenants, and approved of by both Houſes, ſhould receive the " commands of both Houſes to take upon them to execute their Offices. All which Reſolutions were order'd, the ſame night, to be printed and publiſh- ed. So that, when the King's Meſſage from *Huntington* was read the next morning, and ſeemed to be againſt their Votes of the day before, they con- cluded, " that it could not be ſent from the King, but that it had " been " incerted in blanks left in the Town for ſuch purpoſes; and immediately made a Committee " to find out by whom that Meſſage was framed. But when they remember'd, that they had Voted as much a week before, and had exa- mined the Gentlemen who brought it, and had received it from the King's own hand, they proceeded no further in that inquiſition; but ſatisfied them- ſelves with a new Vote, " that thoſe Perſons, who adviſed his Majeſty to ab- " ſent himſelf from the Parliament, and thoſe that adviſed him to that Meſ- " ſage, were Enemies to the Peace of the Kingdom, and juſtly to be ſuſpected " to be favourers of the Rebellion in *Ireland*. And for the matter it ſelf they reſolved to inſiſt upon their former Votes; and withall declared, " that when " the Lords and Commons in Parliament, which is the ſupreme Court of Ju- " dicature in the Kingdom, ſhould declare what the Law of the Land is, to " have that not only queſtioned, and controverted, but Contradicted, and a " Command that it ſhould Not be obeyed, was a high breach of the Priviledge " of Parliament,

And this likewiſe they cauſed to be ſpeedily printed; leaſt the King ſhould be able to perſwade the Subjects, that an Order of theirs, without His con- ſent, was no Law to compel their obedience. And from this laſt Reſolution, by which the Law of the Land, and conſequently the liberty of the Subject, was reſolved into a Vote of the two Houſes, which paſſed without any diſpute or heſitation, all Sober men diſcerned the fatal period of both, and ſaw a Foun- dation laid for all the Anarchy and Confuſion, that hath followed.

Their Order concerning Hull.

It was now known, that the King was gone to *York*, which made them ap- prehend their Principality of *Hull* might be in danger; and therefore they im- mediately Reſolve, " that no Forces whatſoever ſhall be admitted in that Town, " without the Immediate conſent of both Houſes: which Order was ſent " thither by an expreſs. And having prepared the people to be ready for the Militia, by publiſhing " that, in caſe of Extreme danger, they were to obey that Ordinance; they were, in the next place, to find the danger to be Extreme; and, to that purpoſe, they produced Letters without any name, pretended to be written from *Amſterdam*, ſignifying, " that they had intelligence there, " that there was an Army ready in *Denmark* to be tranſported into *England*, " and was to be landed at *Hull*; which they ſaid, had been confirmed to them, " by a perſon of reputation, from *New-Market*, who confirmed the Intelligence " of *Denmark*: and added, that there were likewiſe forces ready in *France* to be " landed at *Hull*.

Of this, how groſs and ridiculous ſoever it appeared to wiſe men, they made a double uſe (beſides the general impreſſion in the People) the one to colour and countenance their Orders to their Governour there; the other to make the King's reſidence in thoſe parts ſuſpected and grievous, as if he came thither only to bring in Forreign Forces upon them. With theſe Alarms of Forreign Forces, they mingled other Intelligence of the Papiſts in *England*, " that they had a purpoſe of making an Inſurrecti-

on; and therefore they proceeded in preparing a Bill to ſecure the perſons of theſe of the beſt quality, and greateſt intereſt, and injoyning the Oath of Supremacy to be taken with great rigour; and, amongſt other ſtratagems they had to humble the Papiſts, I remember, upon an information that they uſed their Proteſtant Tenants worſe in the raiſing their Rents, than they did thoſe of their own Religion, there was an Order, "that they ſhould not "raiſe the Rents of their Tenants, above the rates that the Proteſtant Land-"lords adjoyning received from Their Tenants: by virtue of which, in ſome places, they undertook to determine what Rents their Tenants ſhould unpay to them. But, in this zeal againſt the Papiſts, they could not endure that the King ſhould have any ſhare; and therefore, when they found, that his Majeſty had publiſhed a Proclamation in his Journey towards *York*, "commanding all the Judges, and Juſtices of Peace, and other Officers, to "put in due execution all the Laws, and Statutes of the Kingdom, againſt "Popiſh Recuſants, without favour or connivance, they preſently ſent for the Sheriffs of *London* to the Houſe of Commons, and examined them, "why "ſeven prieſts, who were in *Newgate*, and had been long Condemned, were "not Executed? the reaſon whereof they well knew; and when the Sheriffs ſaid, "that they had received a Reprieve for them under the King's "hand, they publiſhed that with great care in their prints, to take off the credit of the new Proclamation; and appointed their Meſſengers, whom they were then ſending to the King with a new Declaration, to move his Majeſty, "that he would take off his Reprieve, and ſuffer thoſe ſeven condemn'd "Prieſts to be Executed, according to the Judgments they had re-"ceived.

They proceeded now to provide all neceſſary means for the raiſing great ſums of money, by the diligent collection of what was granted by former Acts, and by a new Bill for the raiſing of four hundred thouſand pounds, for the payment of the great debts of the Kingdom (by which they meant the remainder of the three hundred thouſand pounds, they had bountifully given to their Brethren of *Scotland*) and the ſupport of the War of *Ireland*: all which monies were to be received, and diſpoſed as the two Houſes ſhould direct; of which tho' the King ſaw the danger, that might, and Did after enſue thereupon, yet he thought that probable inconvenience and miſchief to be leſs, than that, which the ſcandal of denying any thing, upon which the recovery of *Ireland* ſeem'd to depend, would inevitably bring upon him and ſo ratified whatſoever they brought to him of that kind.

They make Propoſitions for Adventurers in Ireland.

Amongſt other Expedients for raiſing of money for the War of *Ireland*, about this time, they made certain Propoſitions to incourage men to be Adventurers in that Traffick, Thus: They concluded "that, in ſo general a Rebellion, very "much land muſt Eſcheat to the Crown by the forfeiture of Treaſon, and that, "out of ſuch forfeitures, ſatisfaction might be given to thoſe, who ſhould diſ-"burſe money towards the ſuppreſſion of the Rebels; ſo many Acres of Land "to be allowed for ſo much money, according to the value of the Lands in "the ſeveral Provinces, which was ſpecified in the Propoſitions; which, having paſſed both Houſes, were preſented to the King, who (it being about the beginning of *February*, when the breach of their Priviledges rung in all mens ears) Anſwered, "that as he had offer'd, and was ſtill ready to venture, his own Per-"ſon for the recovery of that Kingdom, if his Parliament ſhould adviſe him "thereunto; ſo he would not deny to contribute any other aſſiſtance he could "to that Service, by parting with any profit or advantage of his own there; "and therefore, relying upon the wiſdom of his Parliament, he did conſent to "every Propoſition, now made to him, without taking time to conſider, and "examine, whether that courſe might not retard the reducing that Kingdom, "by exaſperating the Rebels, and rendering them deſperate of being received "into Grace, if they ſhould return to their obedience. And, he ſaid, he would "be ready to give his Royal aſſent to ſuch Bills, as ſhould be tender'd to him by "his Parliament for the confirmation of thoſe Propoſitions.

The King conſents to them.

Which Anſwer, together with their Propoſitions, they cauſed forthwith to be Printed; made their Committees, in all places, to ſollicite Subſcriptions, and to receive the monies, the Principal and moſt Active perſons Subſcribing firſt, for the example of others; and delayed the framing, and preſenting the

Bill

Bill to the King, till they had received great ſums of money, and procured very many perſons of all conditions to Subſcribe, many coming in out of pure covetouſneſs to raiſe great fortunes; five hundred Acres of Land being aſſigned for one hundred pound in ſome Counties, and not much under that proportion in others: ſome out of pure fear, and to win credit with the Powerful Party, which made this new project a meaſure of mens affections, and a trial how far they might be truſted, and relied on.

The King paſſes a Bill to that purpoſe.

Then they ſent thoſe Propoſitions digeſted into a Bill to the King, with ſuch Clauſes of power to Them, and diminution of his own, that, upon the matter, he put the making a Peace with the Rebels there out of his power, tho' upon the moſt advantageous terms; which he was likewiſe neceſſitated to paſs.

But notwithſtanding all theſe preparations on This ſide the Sea, the relief, and proviſion was very ſlowly ſupplied to the Other ſide; where the Rebels ſtill increaſed in ſtrength, and, by the fame of theſe Propoſitions, inlarged their power, very many perſons of Honour, and fortune, who till then had ſate ſtill, and either were, or ſeemed to be averſe to the Rebellion, joining with them, as being deſperate, and conceiving the utter ſuppreſſing their Religion, and the very extirpation of their Nation, to be decreed againſt them. And, without doubt, the great Reformers here were willing enough to drive them to any extremity, both out of revenge and contempt, as a people eaſy to be rooted out, and that the War might be kept up ſtill; ſince they feared an Union in That Kingdom might much prejudice their deſigns in This, both as it might ſupply the King with power, and take away much of Theirs; whereas Now they had opportunity, with reference to *Ireland*, to raiſe both men and money, which they might be able to imploy upon more preſſing occaſions, as they will be found afterwards to have done. Neither was it out of their expectation and view, that, by the King's conſenting to that ſevere Decree, he might very probably diſcourage his Catholick Subjects, in his other Dominions, from any extraordinary Acts of duty, and affection: at leaſt, that it would render him leſs conſidered by moſt Catholick Princes. And they knew well what uſe to make of any diminution of his intereſt, or reputation. Theſe matters thus ſettled, for the eaſe of the two Houſes, who were now like to have much to do, they appointed the whole buſineſs of *Ireland* to be managed by Commiſſion under the great Seal of *England*, by four Lords and eight Commoners, whom they recommended to the King, and who were allways to receive Inſtructions from Themſelve. And in this ſtate, and diſpoſition, were the affairs of *Ireland*, when the King went to *York*, where let us now reſort to him.

THE END OF THE FOURTH BOOK.

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THE
History of the Rebellion, &c.
BOOK V.

Iſa. iii. 12.

As for my People, Children are their Oppreſſours, and Women Rule over them: O my People, they which lead thee, cauſe thee to err, and deſtroy the way of thy paths.

ASSOON as the King came to *York*, which was about the end of the Year, 1641, and found his reception there to be equal to his expectation, the Gentry, and Men of Ability of that great and populous County (ſome very few excepted) expreſſing great alacrity for his Majeſty's being with them, and no leſs ſenſe of the inſolent proceedings of the Parliament; thereupon, he reſolved to treat with the two Houſes in another manner than he had done, and to let them clearly know, " that, as he " would deny them nothing that was fit for Them to Ask, " ſo he would yield to nothing that was unreaſonable for Him to Grant; and that " he would have nothing extorted from him, that he was not very well inclined " to conſent to. So within few days after his coming thither, he ſent them a Declaration (which he cauſed to be printed, and, in the Frontiſpiece, recommended to the conſideration of all his loving Subjects) in Anſwer to that preſented to him at *New-Market* ſome days before: He told them,

His Majeſty's Declaration from York, Mar. 9. 1641.

" That, though that Declaration, preſented to him at *New-Market* from both " Houſes of Parliament, was of ſo ſtrange a Nature, in reſpect of what he ex- " pected (after ſo many Acts of grace and favour to his People) and ſome ex- " preſſions in it ſo different from the uſual Language to Princes, that he might " well take a very long time to conſider it; yet the clearneſs and uprightneſs " of his conſcience to God, and love to his Subjects, had ſupplied him with a " ſpeedy Anſwer; and his unalterable affection to his People prevailed with " him to ſuppreſs that paſſion, which might well enough become him upon " ſuch invitation. He ſaid, he had reconſidered his Anſwer of the firſt of " that Month at *Theobalds*, which was urged to have given juſt cauſe of ſor- " row to his Subjects; but, he ſaid, whoever looked over that Meſſage (which " was in effect to tell him, that if he would not joyn with them in an Act, which " he conceived might prove prejudicial and dangerous to him, and the whole " Kingdom, they would make a Law without him, and impoſe it upon his Peo- " ple) would not think that ſuddain Anſwer could be excepted to. He ſaid, he " had little incouragement to replies of that Nature, when he was told of how

" little Value his words were like to be with them, though they came accompa-
" nied with all the Actions of Love, and Juſtice (where there was room for Ac-
" tions to accompany them) yet he could not but diſavow the having any
" ſuch evil Counſel, or Counſellors about him, to his knowledge, as were men-
" tioned by them: and if any ſuch ſhould be diſcovered, he would leave them to
" the cenſure, and judgment of his Parliament. In the mean time he could
" wiſh, that his own immediate Actions, which he did avow, and his own ho-
" nour might not be ſo roughly cenſured and wounded, under that common ſtyle
" of evil Counſellors. For his faithful and zealous affection to the true Proteſtant
" profeſſion, and his reſolution to concur with his Parliament in any poſſible
" courſe for the propagation of It, and the ſuppreſſion of Popery, He ſaid, he
" could ſay no more than he had already expreſſed in his Declaration to all his
" loving Subjects, publiſhed in *January* laſt, by the advice of his Privy Council;
" in which he endeavoured to make as lively a Confeſſion of himſelf in that point,
" as he was able, being moſt aſſured, that the conſtant practice of his Life had been
" anſwerable thereunto: And therefore he did rather expect a Teſtimony, and
" acknowledgment of ſuch his Zeal and Piety, than thoſe expreſſions he met with
" in that Declaration of any deſign of altering Religion in this Kingdom. And
" he ſaid, he did, out of the innocency of his Soul, wiſh, that the judgments
" of Heaven might be manifeſted upon thoſe, who have, or had, any ſuch de-
" ſign.

" As for the Scots Troubles, he told them, he had thought, that thoſe un-
" happy differences had been wrapp'd up in perpetual ſilence by the Act of Obli-
" vion; which, being ſolemnly paſſed in the Parliaments of both Kingdoms,
" ſtopp'd his own Mouth from any other reply, than to ſhew his great diſlike
" for reviving the Memory thereof. He ſaid, if the Rebellion in *Ireland*, ſo odious
" to all Chriſtians, ſeem'd to have been framed, and maintained in *England*, or
" to have any Countenance from hence, he conjured both his Houſes of Parlia-
" ment, and all his loving Subjects whatſoever, to uſe all poſſible means to diſco-
" ver, and find ſuch out, that he might joyn in the moſt exemplary Vengeance
" upon them, that could be imagined. But, he told them, he muſt think him-
" ſelf highly, and cauſleſsly injured in his reputation, if any Declaration, Action,
" or Expreſſion, of the Iriſh Rebels; any Letters from the Count *Rozetti* to the
" Papiſts, for Faſting and Praying; or from *Triſtram Whetcomb*, of ſtrange Spee-
" ches uttered in *Ireland*, ſhould beget any Jealouſy, or Miſapprehenſion in his
" Subjects of his Juſtice, Piety, and Affection: it being evident to all under-
" ſtandings, that thoſe miſchievous and wicked Rebels, are not ſo capable of
" great advantage, as by having their falſe diſcourſes ſo far believed, as to raiſe
" Fears and Jealouſies to the diſtraction of this Kingdom; the only way to their
" ſecurity. He ſaid, he could not expreſs a deeper ſenſe of the ſufferings of his
" poor Proteſtant Subjects in that Kingdom, than he had done in his often Meſſa-
" ges to both Houſes; by which he had offer'd, and was ſtill ready to venture,
" his Royal Perſon for their redemption, well knowing that as he was, in his own
" Intereſts, more concerned in them; ſo he was to make a ſtrict Account to Al-
" mighty God for any neglect of His Duty, or their Preſervation.

" For the manifold Attempts to provoke his late Army, and the Army of
" the Scots, and to raiſe a Faction in the City of *London*, and other parts of the
" Kingdom, if it were ſaid as relating to Him, he could not, without great In-
" dignation, ſuffer himſelf to be reproached to have intended the leaſt force, or
" threatning to his Parliament; as the being Privy to the bringing up the Army
" would imply. Whereas, he called God to Witneſs, he never had any ſuch
" thought, nor knew of any ſuch reſolution concerning his late Army. For
" the Petition ſhewed him by Captain *Leg*, he ſaid, he well remembred the ſame,
" and the occaſion of that conference. Captain *Leg* being lately come out of the
" North, and repairing to him at *White-Hall*, his Majeſty asked him of the ſtate
" of his Army; and, after ſome relation of it, he told his Majeſty, that the
" Commanders and Officers of the Army, had a mind to Petition the Parliament,
" as others of his People had done, and ſhewed him the Copy of a Petition;
" which he read, and finding it to be very humble, deſiring the Parliament might
" receive no interruption in the Reformation of Church, and State, to the Model
" of Queen *Elizabeth*'s days, his Majeſty told him, that he ſaw no harm in it;
" whereupon Captain *Leg* replied, that he believed all the Officers of the Army
" would like it, only, he thought, Sir *Jacob Aſhly* would be unwilling to ſign it,

" out

" out of fear that it might diſpleaſe Him. His Majeſty then read the Petition
" over again ; and obſerving nothing in Matter or Form he conceived could
" poſſibly give juſt cauſe of Offence, he delivered it to him again, bidding him
" give it to Sir *Jacob Aſhly*, for whoſe ſatisfaction he writ C. R. upon it, to te-
" ſtify his Approbation ; and he wiſhed that the Petition might be ſeen and pub-
" liſhed, and then he believed it would appear no dangerous one, nor a juſt
" ground for the leaſt Jealouſy, or Miſapprehenſion.

" For Mr. *Jermyn*, he ſaid, it was well known that he was gone from *White-*
" *Hall*, before he received the deſire of both Houſes for the reſtraint of his
" Servants ; neither returned he thither, or paſſed over by any Warrant granted
" by him after that time. For the breach of Privilege in the Accuſation of
" the Lord *Kimbolton*, and the five Members of the Houſe of Commons, he
" told them, he thought, he had given ſo ample ſatisfaction in his ſeveral Meſ-
" ſages to that purpoſe, that it ſhould have been no more preſſed againſt him ;
" being confident, if the breach of Privilege had been greater than ever had
" been before offer'd, his acknowledgment and retractation had been greater
" than ever King had given : beſides the not examining how many of His Privi-
" leges had been invaded in defence, and vindication of the other. And there-
" fore, he hoped his true, and earneſt proteſtation in his Anſwer to their Order
" concerning the Militia, would ſo far have ſatisfied them of his Intentions
" then, that they would no more have entertained any Imagination of any o-
" ther deſign, than he there expreſſed. But why the liſting ſo many Officers,
" and entertaining them at *White-Hall*, ſhould be miſconſtrued, he ſaid, he much
" marvelled, when it was notoriouſly known the Tumults at *Weſtminſter* were
" ſo great, and their demeanour ſo ſcandalous and ſeditious, that he had good cauſe
" to ſuppoſe his own Perſon, and thoſe of his Wife and Children, to be in ap-
" parent danger ; and therefore, he had great reaſon to appoint a Guard about
" him, and to accept the dutiful tender of the ſervices of any of his loving
" Subjects, which was all he did to the Gentlemen of the Inns of Court.

" For the Lord *Digby*, he aſſured them in the Word of a King, that he had
" his Warrant to paſs the Seas, and had left his Court, Before ever he heard of
" the Vote of the Houſe of Commons, or had any cauſe to imagin that his ab-
" ſence would have been excepted againſt. What their Advertiſements were
" from *Rome*, *Venice*, *Paris*, and other parts, or what the Pope's Nuntio ſolli-
" cits the Kings of *France*, and *Spain*, to do ; or from what Perſons ſuch infor-
" mations come to them, or how the credit and reputation of ſuch perſons had
" been ſifted and examined, he ſaid, he knew not ; but was confident no ſober
" honeſt man in his Kingdoms could believe, that he was ſo deſperate, or ſo
" ſenſeleſs, to entertain ſuch deſigns, as would not only bury this his Kingdom
" in ſudden diſtraction and ruin, but his own Name and Poſterity in perpetual
" Scorn, and Infamy. And therefore, he ſaid, he could have wiſhed in matters
" of ſo high and tender a Nature, wherewith the minds of his good Subjects
" muſt needs be ſtartled, all the expreſſions had been ſo plain and eaſy, that no-
" thing might ſtick with them that reflected upon his Majeſty ; ſince they thought
" fit to publiſh it at all.

" And having now dealt thus plainly and freely with them, by way of Anſwer
" to the particular grounds of their Fears, he ſaid, he hoped, upon a due conſide-
" ration and weighing of both together, they would not find the grounds to be
" of that moment to beget, or longer to continue, a miſunderſtanding between
" them ; or force them to apply themſelves to the uſe of any other power, than
" what the Law had given them : the which he always intended ſhould be the
" meaſure of his own Power, and expected it ſhould be the rule of his Subjects
" Obedience.

" Concerning his own Fears and Jealouſies, as he had no Intention of accu-
" ſing them, ſo he ſaid, he was ſure no words ſpoken by him on the Suddain at
" *Theobalds* would bear that Interpretation. He had ſaid, for his reſidence
" near them, he wiſhed it might be ſo ſafe and honourable, that he had no cauſe
" to abſent himſelf from *White-Hall* ; and how That could be a breach of Pri-
" vilege of Parliament he could not underſtand. He ſaid, he had explained
" his meaning in his Anſwer at *New-Market*, at the preſentation of that Decla-
" ration, concerning the printed ſeditious Pamphlets, and Sermons, and the
" great Tumults at *Weſtminſter* : And he ſaid, he muſt appeal to them, and all
" the world, whether he might not juſtly ſuppoſe himſelf in danger of either.

" And if he were now at *White-Hall*, he asked them, what ſecurity he had, " that the like ſhould not be Again? eſpecially if any Delinquents of that Na- " ture had been apprehended by the Miniſters of Juſtice, and had been reſcued " by the people, and ſo as yet had eſcaped Unpuniſhed. He told them, if they " had not yet been informed of the ſeditious words uſed in, and the circumſtan- " ces of thoſe Tumults, and would appoint ſome way for the examination of " them, he would require ſome of his learned Counſel to attend with ſuch Evi- " dence as might ſatisfy them; and till that were done, or ſome other courſe " ſhould be taken for his ſecurity, he ſaid, they could not with reaſon wonder, " that he intended not to be, where he moſt deſired to be.

" He asked them whether there could Yet want evidence of his hearty and " importunate deſire to join with his Parliament, and all his faithful Subjects, " in defence of the Religion, and publick good of the Kingdom? Whether he " had given them no other earneſt but Words, to ſecure them of thoſe deſires? " He told them the very Remonſtrance of the Houſe of Commons (publiſhed in " *November* laſt) of the State of the Kingdom allowed him a more Real Teſti- " mony of his good Affections than Words; that Remonſtrance valued his Acts " of Grace and Juſtice at ſo high a rate, that it declared the Kingdom to be " Then a Gainer, tho' it had charged it ſelf by Bills of Subſidies and Poll-money " with the levy of ſix hundred thouſand pounds, beſides the contracting a debt " of two hundred and twenty thouſand pounds more to his Subjects of *Scot-* " *land*. He asked them whether the Bills for the Triennial Parliament, for relin- " quiſhing his Title of impoſing upon Merchandize, and power of preſſing of " Soldiers, for the taking away the Star-Chamber, and High-Commiſſion " Courts, for the regulating the Counſel Table, were but Words? whether " the Bills for the Forreſts, the Stannery Courts, the Clarke of the Market, " and the taking away the Votes of Biſhops out of the Lord's Houſe, were but " Words; Laſtly, what greater earneſt of his truſt, and relyance on his Par- " liament could he give, than the paſſing the Bill for the continuance of this pre- " ſent Parliament? The Length of which, he ſaid, he hoped, would never alter " the Nature of Parliaments, and the Conſtitution of this Kingdom; or invite " his Subjects ſo much to abuſe his Confidence, as to eſteem any thing fit for " this Parliament to do, which were not fit, if it were in his power to diſſolve it " to Morrow. And after all theſe, and many other Acts of Grace on his part, that " he might be ſure of a perfect reconciliation between him and all his Subjects, he " had offered, and was ſtill ready to grant, a free, and general pardon, as ample as " themſelves ſhould think fit, Now if thoſe were not real expreſſions of the " Affections of his Soul for the Publick Good of this Kingdom, he ſaid, he muſt " confeſs that he wanted skill to manifeſt them.

" To conclude, alltho' he thought his Anſwer allready full to that point con- " cerning his return to *London*, he told them, that he was willing to declare, " that he looked upon it as a matter of ſo great weight, as with reference to " the Affairs of this Kingdom, and to his own inclinations and deſires, that if " all he could Say or Do, could raiſe a mutual Confidence (the only way, with " Gods bleſſing, to make them all happy) and, by their incouragement, the " Laws of the Land, and the Government of the City of *London*, might reco- " ver ſome life for his ſecurity; he would overtake their deſires, and be aſſoon " with them, as they could wiſh. And in the mean time, he would be ſure " that neither the buſineſs of *Ireland*, nor any other advantage for This Kingdom " ſhould ſuffer through His Default, or by his Abſence; he being ſo far from re- " penting the Acts of his Juſtice and Grace, which he had allready performed to " his people, that, he ſaid, he ſhould, with the ſame alacrity, be ſtill ready to " add ſuch New ones, as might beſt advance the Peace, Honour, and Proſperity " of this Nation.

They who now read this Declaration, and remember only the inſolent, and undu- tiful Expreſſions in that Declaration, to which this was an Anſwer, and the more inſolent and ſeditious Actions which preceded, accompanied, and attended it, may think, that the ſtyle was not anſwerable to the Provocation, nor Princely enough for ſuch a Conteſt; and may believe, that if his Majeſty had Then ex- preſſed himſelf with more Indignation for what he Had ſuffer'd, and more Re- ſolution, " that he would No More endure thoſe ſufferings, they who were not Yet grown to the hardineſs of Avowing the contempt of the King (and moſt of them having deſigns to be great With, and By Him, whom they provoked) would

would ſooner have been checked, and recovered their Loyalty and Obedience. But they again who conſider and remember that Juncture of time, the incredible diſadvantage his Majeſty ſuffer'd by the miſunderſtanding of his going to the Houſe of Commons, and by the Popular miſtake of Privilege of Parliament, and conſequently of the breach of thoſe Privileges: And, on the contrary, the great height and reputation the Factious Party had arrived to, the ſtratagems they uſed, and the infuſions they made into the People, " of the Kings " diſinclination to the Laws of the Land; and eſpecially, " that he had conſen- " ted to all thoſe excellent Laws made this Parliament, (of which the people " were poſſeſſed) very unwillingly, and meant to avoid them: That the Queen " had an irreconcilable Hatred to the Religion profeſſed, and to the whole Na- " tion, and that her Power was unqueſtionable: That there was a deſign to " ſend the Prince beyond the Seas, and to marry him to ſome Papiſt: Above all (which the principal of them, with wonderful confidence, in all places avowed to be true) " that the Rebellion in *Ireland* was fomented, and countenanced " at leaſt, by the Queen, that good terms might be got for the Catholicks in " *England*: I ſay, whoever remembers all this, and, that though it might be " preſumed, that the exorbitancy of the Parliament might be very offenſive to ſome ſober and diſcerning men, yet his Majeſty had no reaſon to preſume of their eminent and vehement Zeal on his behalf, ſince he ſaw all thoſe (ſome few only excepted) from whom he might challenge the duty, and faith of ſervants *uſque ad aras*, and for whoſe ſake he had undergone many difficulties, either totally aliened from his ſervice, and engaged Againſt him, or, like men in a Trance, unapplicable to it: He will, I ſay, conclude that it concerned his Majeſty, by all gentleneſs and condeſcention, to undeceive, and recover them to their ſobriety and underſtanding, before he could hope to make them apprehenſive of their own duty, or the reverence that was due to him; and therefore, that he was to deſcend to all poſſible Arts, and Means to that purpoſe, it being very evident, that Men would no ſooner diſcern his Princely Juſtice and Clemency, than they muſt be ſenſible of the Indignities which were offer'd to him; and incenſed againſt thoſe, who were the Authors of them.

And the truth is (which I ſpeak knowingly) at that time, the King's Reſolution was to ſhelter himſelf wholely under the Law; to grant any thing, that by the Law he was obliged to grant; and to deny, what by the Law was in his own Power, and which he found inconvenient to conſent to; and to oppoſe and puniſh any extravagant attempt by the force and Power of the Law, preſuming that the King and the Law together would have been ſtrong enough for any encounter that could happen; and that the Law was ſo ſenſible a thing, that the People would eaſily perceive who endeavoured to Preſerve, and who to Suppreſs it, and diſpoſe themſelves accordingly.

The day before this Anſwer of his Majeſty came to the Members then ſitting at *Weſtminſter*, though they knew they ſhould ſpeedily receive it, leaſt ſomewhat in it might Anſwer, and ſo prevent ſome other ſcandals they had a mind to lay to his Majeſty's charge, they ſent a Petition to him, in the Name of the Lords and Commons, upon occaſion of the ſhort curſory Speech he made to their Committee, (which is before mentioned) at the delivery of their Declaration at *New-Market*, in which they told him,

The Petition of the Lords and Commons preſented to his Majeſty at York, March 26. 1642.

" That the Lords and Commons in Parliament could not conceive, that that " Declaration, which he received from them at *New Market*, was ſuch as did de- " ſerve that cenſure his Majeſty was pleaſed to lay upon them in that Speech, " which his Majeſty made to their Committee; their addreſs therein, being ac- " companied with plainneſs, humility and faithfulneſs, they thought more pro- " per for the removing the diſtraction of the Kingdom, than if they had then " proceeded according to his Meſſage of the twentieth of *January*; by which he " was pleaſed to deſire, that they would declare, what they intended to do for his " Majeſty, and what they expected to be done for Themſelves; in both which, " they ſaid, they had been very much hinder'd by his Majeſty's denial to ſecure " them, and the whole Kingdom, by diſpoſing the Militia as they had divers " times moſt Humbly Petitioned. And yet, they ſaid, they had not been " altogether negligent of either, having lately made good proceedings in prepa- " ring a Book of Rates, to be paſſed in a Bill of Tonnage and Poundage, and like- " wiſe the moſt material heads of thoſe humble deſires, which they intended " to make to his Majeſty for the good and contentment of his Majeſty and his

" People; but none of thoſe could be perfected before the Kingdom be put in " ſafety, by ſetling the Militia: And until his Majeſty ſhould be pleaſed to " concur with his Parliament in thoſe neceſſary things, they held it impoſſible " for his Majeſty to give the world, or his People, ſuch ſatisfaction concerning " the Fears and Jealouſies, which they had expreſſed, as they hoped his Majeſty " had already received touching that exception, which he was pleaſed to take " to Mr. *Pym*'s Speech. As for his Majeſty's Fears and Doubts, the ground " whereof was from ſeditious Pamphlets and Sermons, they ſaid, they ſhould " be as careful to endeavour the removal of them, aſſoon as they ſhould under- " ſtand what Pamplets and Sermons were by his Majeſty intended, as they had " been to prevent all dangerous Tumults. And if any extraordinary Concourſe " of People out of the City to *Weſtminſter* had the face and ſhew of Tumult and " Danger, in his Majeſty's apprehenſion, it would appear to be cauſed by his " Majeſty's denial of ſuch a Guard to his Parliament, as they might have cauſe " to Confide in; and by taking into *White-Hall* ſuch a Guard for Himſelf, as gave " juſt cauſe of Jealouſy to his Parliament, and of Terror and Offence to his Peo- " ple. They told him they ſought nothing but his Majeſty's Honour, and the " Peace and Proſperity of his Kingdoms; and that they were heartily ſorry, " they had ſuch plentiful matter for an Anſwer to that Queſtion, whether his " Majeſty had violated their Laws? They beſought his Majeſty to remember, " that the Government of this Kingdom, as it was, in a great part, managed " by his Miniſters before the beginning of this Parliament, conſiſted of many " continued and multiplyed Acts of violation of Laws; the wounds whereof " were ſcarcely heal'd, when the Extremity of all thoſe violations was far ex- " ceeded by the late Strange, and unheard of breach of their Laws in the Accuſa- " tion of the Lord *Kimbolton*, and the five Members of the Commons Houſe, and " in the proceedings thereupon; for which they had yet received no full " ſatisfaction.

" To his Majeſty's next Queſtion, whether he had denied any Bill for the eaſe " and ſecurity of his Subjects? They wiſh'd they could ſtop in the midſt of their " Anſwer; that with much thankfulneſs they acknowledged, that his Majeſty " had paſſed many good Bills full of contentment and advantage to his People: " but Truth and Neceſſity inforced them to add this, that even in, or about the " time of paſſing thoſe Bills, ſome deſign or other had been on foot, which, if it " had taken effect, would not only have deprived them of the fruit of thoſe Bills, " but have reduced them to a worſe condition of confuſion, than that wherein " the Parliament found them.

" And if his Majeſty had asked them the third Qneſtion intimated in that " Speech, what They had done for Him? they told him, their Anſwer would " have been much more eaſy; That they had paid two Armies with which the " Kingdom was burthened the laſt year, and had undergone the Charge of the " War in *Ireland* at this time, when, through many other exceſſive Charges " and preſſures, his Subjects had been exhauſted, and the ſtock of the Kingdom " very much diminiſhed; which great miſchiefs, and the charges thereupon " enſuing, had been occaſioned by the evil Counſels ſo powerful with his Maje- " ſty, which had, and would coſt this Kingdom more than two Millions; all " which, in juſtice, ought to have been born by his Majeſty.

" As for that free and general pardon his Majeſty had been pleaſed to offer, " they ſaid, it could be no ſecurity to their Fears and Jealouſies, for which his " Majeſty ſeem'd to propound it; becauſe they aroſe not from any Guilt of their " own Actions, but from the evil deſigns, and attempts of others.

" To that their Humble Anſwer to that Speech, they deſired to add an Infor- " mation, which they had lately received from the Deputy Governor of the " Merchant Adventurers as *Rotterdam* in *Holland*, that an unknown perſon, ap- " pertaining to the Lord *Digby*, did lately ſollicit one *James Henly* a Mariner, to " go to *Elſenore*, and to take charge of a Ship in the Fleet of the King of *Den-* " *mark*, there prepared; which he ſhould conduct to *Hull*. In which Fleet " likewiſe, he ſaid, a great Army was to be tranſported; and alltho' they " were not apt to give credit to Informations of that Nature, yet they could not " altogether think it fit to be neglected; but that it might juſtly add ſomewhat " to the weight of their Fears and Jealouſies, conſidering with what circumſtan- " ces it was accompanied; with the Lord *Digby*'s preceding expreſſions in his " Letter to her Majeſty, and Sir *Lewis Dives*; and his Majeſty's ſucceeding

" courſe

" courſe of withdrawing himſelf North-ward from his Parliament, in a manner " very ſuitable and correſpondent to that evil Counſel; which, they doubted, " would make much deeper impreſſion in the generality of his People; and there- " fore, they moſt humbly adviſed, and beſought his Majeſty, for the procu- " ring and ſetling the confidence of his Parliament and all his Subjects, and " for the other important reaſons concerning the recovery of *Ireland*, and " ſecuring This Kingdom, which had been formerly preſented to him, he would " be graciouſly pleaſed, with all convenient ſpeed, to return to thoſe Ports, " and to cloſe with the Counſel and deſire of his Parliament; where he ſhould " find their dutiful affections and endeavours ready to attend his Majeſty with " ſuch entertainment, as ſhould not only give him juſt cauſe of ſecurity in their " faithfulneſs, but other manifold evidences of their earneſt intention, and en- " deavours to advance his Majeſty's Service, Honour, and Contentment; and " to eſtabliſh it upon the ſure Foundation of the Peace, and Proſperity of all his " Kingdoms.

This, which They called a Petition, being preſented to the King, his Majeſty immediately returned, by the ſame Meſſengers, his Anſwer in theſe words:

The King's Anſwer.

" If you would have had the patience to have expected our Anſwer to your " laſt Declaration, (which, conſidering the nature of it, hath not been long in " coming) We believe, you would have ſaved your ſelves the labour of ſaying " much of this Meſſage. And We could wiſh, that our Privileges on all parts " were ſo ſtated, that this way of Correſpondency might be preſerved with " that freedom which hath been uſed of old. For We muſt tell you, that if you " may ask any thing of us by Meſſage or Petition, and in what Language (how " Unuſual ſoever) you think fit, and we muſt neither Deny the thing you ask, " nor give a Reaſon why we cannot Grant it, without being taxed of breaking " your Privileges, or being Counſelled by thoſe, who are Enemies to the Peace " of the Kingdom, and favourers of the Iriſh Rebellion (for we have ſeen your " printed Votes upon our Meſſage from *Huntington*) you will reduce all our An- " ſwers hereafter into a very little room; in plain Engliſh, it is to take away " the freedom of our Vote; which, were We but a Subject, were high Injuſtice, " but being your King, we leave all the world to judge What it is.

" Is this the way to compoſe all miſunderſtandings? We thought, we ſhew- " ed you one, by our Meſſage of the twentieth of *January*, if you have a better " or readier, We ſhall willingly hearken to it, for hitherto you have ſhewed us " None. But why the refuſal to conſent to your Order, which You call a Denial " of the Militia, ſhould be any interruption to it, we cannot underſtand. For " the Militia, which we allways thought neceſſary to be ſetled, we never de- " nied the Thing (as we told you in our Anſwer of the 28th of *January*) to the " Petition of the Houſe of Commons, for we accepted the Perſons, except for " Corporations; we only denied the Way. You ask it by way of Ordinance, " and with ſuch a Preface, as we can neither with juſtice to our Honour, or In- " nocency conſent to. You exclude Us from any Power in the diſpoſition or " execution of it together with you, and for a time utterly Unlimited. We " tell you, we would have the Thing done; allow the Perſons, with that excep- " tion; deſire a Bill, the only Good Old way of impoſing on our ſubjects: We " are extremely unſatisfied what an Ordinance is, but well ſatisfied, that without " Our Conſent it is Nothing, nor Binding: and it is evident by the long time " ſpent in this Argument, the neceſſity and danger was not ſo imminent, but a " Bill might have been prepared; which if it ſhall Yet be done, with that due " Regard to Us, and care of our People, in the limitation of the power and o- " ther circumſtances, we ſhall recede from nothing we formerly expreſſed in that " Anſwer to your Order; otherwiſe, we muſt declare to all the world, that we " are not ſatisfied with, or ſhall ever allow our Subjects to be bound by, your " printed Votes of the fifteenth or ſixteenth of this Month; or that under " pretence of Declaring what the Law of the Land is, you ſhall, without Us, " make a New Law, which is plainly the caſe of the Militia: and what is this " but to introduce an Arbitrary way of Government?

" Concerning *Pym*'s Speech, you will have found, by what the Lord *Compton* " and Mr *Baynton* brought from Us in Anſwer to that Meſſage they brought to " Us, that, as yet, we reſt nothing ſatisfied in that particular.

" As for the ſeditious Pamphlets and Sermons, We are both ſorry and aſham-
" ed (in ſo great variety, and in which our Rights, Honour, and Authority,
" are ſo inſolently ſlighted and vilified, and in which the dignity and freedom
" of Parliaments is ſo much invaded, and violated) it ſhould be asked of Us to
" Name any. The mentioning of the Proteſtation proteſted, the Apprentices
" Proteſtation, *To your Tents O Iſrael*, or any other, would be too great an
" excuſe for the reſt: If you think them not worth your enquiry, We have
" done. But We think it moſt ſtrange to be told, that our denial of a Guard
" (which we yet never denied, but granted in an other manner, and under a
" Command at that time moſt accuſtomed in the Kingdom) or the denial of
" any thing elſe (which is in our power legally to deny) which in our under-
" ſtanding, of which God hath ſurely given us ſome uſe, is not fit to be grant-
" ed, ſhould be any excuſe for ſo dangerous a Concourſe of People; which, not
" only in Our apprehenſion, but, We believe, in the interpretation of the Law
" it ſelf, hath been allways held moſt Tumultuous, and Seditious. And We
" muſt wonder, what, and whence come the Inſtructions and Informations,
" that thoſe People have, who can ſo eaſily think themſelves obliged by the Prote-
" ſtation to Aſſemble in ſuch a manner for the defence of Privileges, which
" cannot be ſo clearly known to any of them, and ſo negligently paſs over the
" conſideration, and defence of our Rights, ſo beneficial and neceſſary for
" themſelves, and ſcarce unknown to any of them; which by their Oaths of
" Allegiance and Supremacy, and even by the ſame Proteſtation, they are at
" leaſt Equally obliged to defend. And what interruptions ſuch kind of Aſſem-
" blies may be to the freedom of future Parliaments (if not ſeaſonably diſcoun-
" tenanced and ſuppreſſed) We muſt adviſe you to conſider; as likewiſe, whe-
" ther both our Rights and Powers may not by ſuch means be uſurped, by hands
" not truſted by the Conſtitution of this Kingdom. For our Guard, We refer
" you to our Anſwer to your Declaration.

" By that Queſtion of violating your Laws, by which We endeavour'd to ex-
" preſs our care, and reſolution to obſerve them, We did not expect, you
" would have been invited to have looked back ſo many years, for which you
" have had ſo ample reparation; neither looked We to have been reproached
" with the Actions of our Miniſters Then againſt the Laws, whilſt we expreſs
" ſo great Zeal for the Preſent Defence of them; it being our reſolution, upon
" obſervation of the miſchief which then grew by Arbitrary Power (tho' made
" plauſible to us by the ſuggeſtions of Neceſſity and imminent Danger, and take
" you heed, You fall not into the ſame error, upon the ſame ſuggeſtions) hereaf-
" ter to keep the Rule Our ſelf, and to Our Power require the ſame from all o-
" thers. But above all, We muſt be moſt ſenſible of what you caſt upon us for
" requital of thoſe good Bills, you cannot deny. We have denied any ſuch de-
" ſign; and as God Allmighty muſt judge in that point between us, who knows
" our upright intentions at the paſſing thoſe Laws, ſo in the mean time we defy
" the Devil to prove, that there was any deſign (with Our Knowledge, or
" Privity) in or about the time of paſſing thoſe Bills, that had it taken effect,
" could have deprived Our Subjects of the fruit of them. And therefore we de-
" mand full reparation in this point, that we may be cleared in the ſight of all
" the world, and chiefly in the Eyes of our loving Subjects, from ſo notorious
" and falſe an imputation, as this is.

" We are far from denying what you have done; for We acknowledge the
" charge Our People hath ſuſtained in keeping the two Armies, and in reliev-
" ing *Ireland*; of which we are ſo ſenſible, that in regard of thoſe great bur-
" thens Our People hath undergone, We have and do patiently ſuffer thoſe
" extreme Perſonal Wants, as our Predeceſſors have been ſeldom put to, rather
" than We would preſs upon them; which we hope, in time, will be conſider-
" ed on your parts.

" In our offer of a general pardon, our intent was to compoſe and ſecure the
" general condition of our Subjects, conceiving that, in theſe times of great diſ-
" tractions, the good Laws of the Land have not been enough obſerved; but it
" is a ſtrange world, when Princes profered Favours are counted Reproaches;
" yet if you like not this Our offer, We have done.

" Concerning any diſcourſes of Foreign Forces, though We have given you
" a full Anſwer in Ours to your laſt Declaration, yet We muſt tell you, we have

neither

" neither ſo ill an opinion of Our own merit, or the Affections of our good Sub-
" jects, as to think Our ſelf in need of any Forreign Forces to preſerve us from
" oppreſſion; and we ſhall not need for any other purpoſe: but are confident,
" through Gods providence, not to want the good wiſhes and Aſſiſtance of the
" whole Kingdom, being reſolved to build upon that ſure Foundation, the Law
" of the Land; and we take it very ill, that General diſcourſes between an
" Unknown Perſon and a Mariner, or inferences upon Letters, ſhould be able
" to prevail in matters ſo Improbable in themſelves, and Scandalous to Us; for
" which we cannot but likewiſe ask reparation, not only for the vindication
" of our own Honour, but alſo thereby to ſettle the minds of our Subjects,
" whoſe fears and jealouſies would ſoon vaniſh, were they not fed and maintained
" by ſuch falſe and malicious Rumours as theſe.

" For Our Return to Our Parliament, We have given a full Anſwer in Ours
" to your Declaration; and you ought to look on us as not Gone, but Driven
" (we ſay not By you, yet) From you. And if it be not ſo eaſy for you to make
" Our reſidence in *London* ſo ſafe, as We could deſire, We are and will be con-
" tented, that Our Parliament be Adjourn'd to ſuch a place, where we may be
" fitly and ſafely with you. For tho' We are not pleaſed to be at this diſtance,
" yet you are not to expect Our preſence, until you ſhall both ſecure us concer-
" ning Our juſt Apprehenſions of tumultuary Inſolencies, and likewiſe give
" Us ſatisfaction for thoſe inſupportable and inſolent Scandals, that are raiſed
" upon Us.

" To Conclude, as We have or ſhall not refuſe any agreeable way to Juſtice
" or Honour, which ſhall be offer'd to Us for the begetting a right underſtand-
" ing between us; ſo we are reſolved that no ſtreights or neceſſities, to which
" We May be driven, ſhall ever compel us to do that, which the reaſon
" and underſtanding that God hath given us, and Our Honour, and Intereſt,
" with which God hath truſted us for the good of Our Poſterity and Kingdoms,
" ſhall render unpleaſant and grievous to Us. And we aſſure you, how meanly
" ſoever You are pleaſed to value the diſcharge of Our publick Duty, We are
" ſo conſcious to Our ſelf of having done Our part ſince this Parliament, that
" in whatſoever condition We now ſtand, We are confident of the continued
" protection from Allmighty God, and the conſtant Gratitude, Obedience, and
" Affection from Our People. And We ſhall truſt God with all.

Theſe quick Anſwers from the King gave them very much trouble, and made it evident to them, that he would be no more Swagger'd into conceſſions, that he thought unreaſonable, or perſwaded to them upon General promiſes, or an implicit confidence in their Future modeſty; but that he demanded reparation for the breach of his Privileges, and ſo fought with them with their own Weapons, troubled them much more; apprehending that, in a ſhort time, the People might be perſwaded to believe, that the King was in the right, and had not been well dealt with: and tho' ſome few, who thought themſelves too far ingaged to retire, were glad of the ſharpneſs of theſe Paper-Skirmiſhes, which they believed made the wound ſtill wider, and more incurable; yet the Major part, which had been induced to joyn with them out of Confidence that the King would yield, and that their boldneſs and importunity in Asking, would prevail with his Majeſty to Conſent, wiſhed themſelves fairly unintangled; and I have heard many of the fierceſt Concurrers, and who have ever ſince kept them company, at that time profeſs, " that if any Expedient might be found to reconcile the preſent
" difference about the Militia, they would no more Adventure upon Demands
" of the like Nature: and the Earl of *Eſſex* himſelf was ſtartled, and confeſſed to his Friends, " that he deſired a more moderate proceeding ſhould be in Par-
" liament; and that the King, who had Given ſo much, ſhould Receive ſome
" ſatisfaction. But thoſe of the Court, who thought their faults to their Maſter moſt unpardonable, could not endure that the youngeſt Courtier, ſhould be the eldeſt Convert; and therefore, by repeating what the King and Queen had ſaid of him Heretofore, and by freſh Intelligence, which they procured from *York*, of what the King Then thought of him, they perſwaded him, " that his
" condition was too deſperate to recede: and all men were perſwaded, that this ſteddy deportment of the King proceeded from ſome new evil Counſellors, who would be aſſoon Deſtroyed, as Diſcovered; and that Then they would ſo carry themſelves, that the King ſhould owe his Greatneſs, and his Glory (for they ſtill

ſaid, " he ſhould excell all his Predeceſſors in both) to Their formed Counſels and Activity, and not to the Whiſpers of thoſe, who thought to do his buſineſs without them. And I am perſwaded that even then, and I was at that time no ſtranger to the perſons of moſt that governed, and a diligent obſerver of their carriage, they had rather a deſign of making themſelves powerful with the King, and great at Court, than of leſſening the power of the One, or reforming the diſcipline of the Other: but, no doubt, there were ſome Few in the number that looked further; yet by pretending That, kept up the Mettal of writing, and inclined them for their Honour to new Declarations.

The King found himſelf at ſome eaſe, and moſt Perſons of Quality of that great County, and of the Counties adjacent, reſorted to him, and many perſons of condition from *London*, and thoſe parts, who had not the courage to attend upon him at *White-Hall*; ſo that the Court appeared with ſome luſtre. And now he begun to think of executing ſome of thoſe reſolutions, which he had made with the Queen before her departure; One of which was, and to be firſt done, the removing the Earls of *Eſſex* and *Holland* from their Offices in the Court, the One of Chamberlain, the Other of the Groom of the Stole, which hath the reputation and benefit of being firſt Gentleman of the Bed-Chamber. Indeed no man could ſpeak in the juſtification of either of them, yet no man thought them equally culpable. The Earl of *Holland* was a Perſon meerly of the Kings, and his Fathers creation; raiſed from the condition of a private Gentleman, a younger Brother of an extraction that lay under a great blemiſh, and without any fortune, to a great height by their meer favour, and bounty. And they had not only adorn'd him with Titles, Honours, and Offices, but inabled him to ſupport thoſe in the higheſt Luſtre, and with the largeſt Expence: and this King had drawn many inconveniencies, and great diſadvantages, upon himſelf and his ſervice, by his preferring him to ſome Truſts, which Others did not only Think themſelves, but Really were worthier of; but eſpecially by indulging him ſo far in the rigorous execution of his Office of Chief Juſtice in Eyre, in which he brought more prejudice upon the Court, and more diſcontent upon the King, from the moſt conſiderable part of the Nobility and Gentry in *England*, than proceeded from any one Action, that had its riſe from the King's will and pleaſure, tho' it was not without ſome Warrant from Law; but having not been practiſed for ſome hundreds of years, was looked upon as a terrible Innovation and Exaction upon Perſons, who knew not that they were in any fault; nor was any imputed to them, but the Original Sin of their Forefathers, even for which they were obliged to pay great penalties and ranſoms. That Such a Servant ſhould ſuffer his Zeal to leſſen and decay towards Such a Maſter, and that he ſhould keep a Title to lodge in His Bed-Chamber, from whoſe Court he had, upon the matter, withdrawn himſelf, and adhered to, and aſſiſted thoſe, who affronted and contemned his Majeſty ſo notoriouſly, would admit of no manner of Interpoſition and Excuſe.

Leſs was to be objected againſt the Earl of *Eſſex*, who as he had been, all his life, without obligations from the Court, and believed he had undergone oppreſſion there, ſo he was, in all reſpects, the ſame man he had allways profeſſed himſelf to be, when the King put him into that Office; and in receiving of which, many men believed, that He rather gratify'd the King, than that his Majeſty had obliged Him in conferring it; and it had been, no doubt, the chief reaſon of putting the Staff in his hand, becauſe in that Conjuncture no other man, who would in any degree have appeared worthy of it, had the courage to receive it. However having taken the Charge upon him, he ought no doubt, to have taken all his Maſters concernments more to heart, than he had done; and he can never be excuſed for ſtaying in *White-Hall*, when the King was with that Outrage driven from thence, and for chooſing to behold the triumph of the Members return to *Weſtminſter*, rather than to attend his Majeſty's Perſon in ſo great perplexity to *Hampton-Court*; which had been his duty to have done, and for failing wherein no other excuſe can be made, but that, after he had taken ſo full a reſolution to have waited upon his Majeſty thither, that he had dreſſed himſelf in his travelling habit, he was diverted from it by the Earl of *Holland*, who ought to have accompanied him in the ſervice, and by his averment, " that if he went, he ſhould be aſſaſſinated; which it was not poſſible ſhould have ever been ſo much as thought of.

Notwith-

Notwithſtanding all this, the Perſons truſted by his Majeſty and remaining at *London*, had no ſooner notice of it (which his Majeſty ſent to them, that he might be adviſed the beſt way of doing it) but they did all they could to diſſwade the purſuing it. They did not think it a good conjuncture to make thoſe two perſons deſperate; and they knew that they were not of the temper and inclinations of thoſe, who had too much credit with them, nor did deſire to drive things to the utmoſt extremities, which could never better their conditions; and that they did both rather deſire to find any Expedients, by which they might make a ſafe and an honourable Retreat, than to Advance in the way they were engaged in. But the Argument they chiefly inſiſted on to the King was, "that being deprived of their Offices, they would be able to do more "miſchief, and ready to imbark themſelves with the moſt deſperate perſons, in "the moſt deſperate Attempts; which fell out accordingly. And there is great reaſon to believe, that if that reſolution the King had taken, had not been too obſtinately purſued at that time, many of the miſchiefs, which afterwards fell out, would have been prevented; and, without doubt, if the Staff had remained ſtill in the hands of the Earl of *Eſſex*, by which he was charged with the defence and ſecurity of the King's Perſon, he would never have been prevailed with to have taken upon him the Command of that Army, which was afterwards raiſed againſt the King, and with which ſo many battles were fought. And there can be as little doubt in any man, who knew well the nature and temper of that time, that it had been very difficult, if not utterly impoſſible, for the two Houſes of Parliament to have raiſed an Army Then, if the Earl of *Eſſex* had not conſented to be General of that Army.

But the King was inexorable in the point; he was obliged by promiſe to the Queen at parting, which he would not break; and her Majeſty had contracted ſo great an indignation againſt the Earl of *Holland*, whoſe ingratitude indeed towards Her was very odious, that ſhe had ſaid, "She would never live in the "Court if He kept his place. And ſo the King ſent an Order to *Littleton* the Lord Keeper of the Great Seal, "that he ſhould require the Staff and Key "from the one, and the other, and receive them into his cuſtody. The Keeper trembled at the Office, and had not courage to undertake it. He went preſently to the Lord *Falkland*, and deſired him to aſſiſt him in making his excuſe to the King. He made many profeſſions of his Duty to the King, "who, he "hoped would not command him in an Affair ſo unſuitable to the Office he held "under him: that no Keeper had been employed in ſuch a ſervice; that if he "ſhould execute the Order he had received, it would in the firſt place be Voted "a breach of Priviledge in him, being a Peer; and the Houſe would commit "him to Priſon, by which the King would receive the greateſt affront, tho' He "ſhould be ruin'd; whereas the thing it ſelf might be done by a more proper "Officer, without any inconvenience.

How weak ſoever the Reaſons were, the Paſſion was ſtrong, and the Lord *Falkland* could not refuſe to convey his Letter to the King, which contained his Anſwer in his own words, with all the imaginable profeſſions of Duty and Zeal for his Service. How ill ſoever his Majeſty was ſatisfied, he ſaw the buſineſs would not be done that way; and therefore he writ immediately a Letter, all in his own hand, to the Lord *Falkland*: in which, with ſome gracious expreſſions of excuſe for putting that work upon Him, he commanded him "to require the ſurrender of the Enſigns of their Offices from thoſe two "Earls. The Lord *Falkland* was a little troubled in receiving the command, They were perſons from whom he had always received great civilities, and with whom he had much credit; and this harſh office might have been more naturally, and as effectually performed by a Gentleman Uſher, as the ſame Staff had been demanded before from the Earl of *Pembroke*, within leſs than a Year. However, he would make no excuſe, being a very punctual and exact Perſon in the Performances of his Duty; and ſo went to both of them, and met them coming to the Houſe, and imparted his Meſſage to them: They deſired him very civilly, "that he would give them leave to confer a little to-"gether, and they would within half an hour, ſend for him into the Houſe of "Commons; whither he went, aud they within leſs time, ſent to him to meet them in Sir *Thomas Cotton*'s Garden (a place adjacent, where the Members of both Houſes uſed frequently to walk) and there with very few words, they deli-

vered the Staff and the Key into his hands, who immediately carried them to his Lodging; and They went up to the Houſe of Peers: and preſently both Houſes took notice of it, and with Paſſion, and bitter Expreſſions againſt the evil Counſellors, who had given his Majeſty that Counſel, they concurred in a Vote, "that whoſoever preſumed to accept of either of thoſe Offices, "ſhould be reputed an Enemy to his Country; and then they proceeded with more impetuoſity in the buſineſs of the Militia, and all other matters which moſt trenched upon the King's Authority.

Whilſt they were ſo eager in purſuit of the Militia, and pretended the neceſſity ſo eminent, that they could not defer the diſpoſition thereof till it might be Formally, and Regularly ſettled by Bill, they had their Eye upon another Militia, the Royal Navy; without recovering of which to their own power (tho' they were ſatisfy'd by the pulſe of the People, that they would join with them, and be generally obedient to their commands) they had no mind to venture upon the execution of their Land Ordinance. And therefore in the beginning of the Spring, when the Fleet for that Year was provided, after they had excepted againſt ſuch Perſons to be Captains of Ships, as they thought not devoted to them (as is before mentioned) they ſent a formal Meſſage to the Lords, "that the Earl of *Northumberland* Lord Admiral, might be moved to conſti-"tute the Earl of *Warwick* his Admiral of the Fleet for that years ſervice, be-"ing a Perſon of ſuch Honour and experience, as they might ſafely Confide in "him; and that the Earl of *Warwick* might be deſired to undertake that ſervice. The Lords thought fit that the King's approbation might be firſt deſired, before it was recommended to the Earl of *Northumberland*; but the Commons thought that ſuperfluous, ſince the Officers of the Fleet were abſolutely in the Earls diſpoſal; and therefore refuſed to ſend to the King, but of Themſelves ſent to both the one Earl, and the other; and the Earl of *Warwick*, being well pleaſed with the Truſt, very frankly, without waiting the Kings conſent, declared "that he was ready to undertake the imployment. But this being ſo publickly agitated, the King could not but take notice of it; and finding that the buſineſs ſhould not be propoſed to him, thought it neceſſary, to ſignify his pleaſure in it, that ſo at leaſt the Lord Admiral might not pretend innocence, if ought ſhould be done to his diſſervice; and therefore, he appointed Mr Secretary *Nicholas* to write to the Earl of *Northumberland*, "that his Majeſty expected "that Sir *John Pennington* ſhould Command that Fleet, as he had done two or "three years before. This Letter being communicated to both Houſes, and the Lord Admiral being thereby upon the diſadvantage of a Single conteſt with the King, the Houſe of Commons, rather out of kindneſs and reſpect to the Earl, than of Duty to the King, Condeſcended to joyn with the Lords in a Meſſage to his Majeſty; which they ſent not by Members of their own, but directed the Lord Keeper "to incloſe it in a Letter to the Secretary attend-"ing the King, and to ſend the ſame to *York*; which he did accordingly, The Meſſage was:

A Meſſage from both Houſes to the King, Mar. 28. 1642.

"That the Lords and Commons, in this preſent Parliament aſſembled, hav-"ing found it neceſſary to provide, and ſet to Sea, a ſtrong and powerful Navy "for the defence of this Kingdom againſt Forreign force, and for the ſecurity "of his Majeſty's other Dominions, the Charge whereof was to be born by the "Common-wealth: and taking notice of the indiſpoſition of the Lord Admiral, "which diſabled him, at that time, for commanding the Fleet in his own Per-"ſon, did thereupon recommend unto his Lordſhip the Earl of *Warwick*, a Per-"ſon of ſuch Quality and Abilities, as in whom they might beſt Confide, to "ſupply his Lordſhips room for this imployment; and underſtanding that his "Majeſty hath Since ſignify'd his pleaſure concerning that Command for *John* "*Pennington*, they ſaid, they did hold it their Duty to repreſent to his Majeſty, "the great danger, and miſchief the Common-wealth was like to ſuſtain by ſuch "interruption: and therefore did humbly beſeech his Majeſty, that the Noble Per-"ſon, recommended by both Houſes of Parliament for this ſervice, might be no "longer detained from it, out of any particular reſpect to any other Perſon "whatſoever.

The King's Anſwer.

The ſame day that this Meſſage came to his Majeſty, he diſpatched an Anſwer to the Lord Keeper; in which he told him, "That he wonder'd both at "the Form, and Matter of that incloſed paper he had ſent to him, in the

"Name

" Name of both Houſes of Parliament: It being neither by the way of Petition, " Declaration, or Letter; and for the Matter, he believed it was the firſt time " that the Houſes of Parliament had taken upon them the Nomination, or Re- " commendation of the chief Sea-Commander; but it added to the wonder, that " Sir *John Pennington* being already appointed by him for that ſervice, upon the " recommendation of his Admiral, and no fault ſo much as alledged againſt him, " another ſhould be recommended to him. Therefore, he ſaid, his reſolution " upon that point was, that he would not alter him, whom he had already ap- " pointed to Command that years Fleet; whoſe every ways ſufficiency was ſo " univerſally known, the which he was confident his Admiral, if there ſhould be " occaſion, would make moſt evident; againſt whoſe teſtimony he ſuppoſed " his Parliament would not except. And tho' there were yet None appointed, " or the ſaid Sir *John*, through ſome accident, not able to perform the ſervice; " yet, he ſaid, the men of that profeſſion were ſo well known to him, beſides " many other reaſons, that (his Admiral excepted, becauſe of his place) recom- " mendations of that kind would not be acceptable to him.

This Anſwer was no other than they expected, tho' they ſeem'd troubled at it, and pretended that they had many things of Miſdemeanour to object againſt Sir *John Pennington*, at leaſt ſuch matters as would render him incapable of that Truſt; the greateſt of which was that he had convey'd the Lord *Digby* over Sea; tho' they well knew (as is before mentioned) that he had the King's Warrant and Command for that purpoſe; and therefore moved the Lords that he might be ſent for to be examined upon many particulars: and in the mean time, whilſt they cauſed him to attend their leiſure to be examined, they proceeded in haſtning the Earl of *Warwick* to make himſelf ready for the Service, who made no ſcruple of undertaking it; and the Earl of *Northumberland* receiving the Order and Deſire of both Houſes " to grant his Commiſſion to him to be Admiral of " that Fleet, thought himſelf ſufficiently excuſed towards the King, and did it " accordingly. The two Houſes in the mean time, without any further thought of procuring the King's Conſent, preparing reaſons to ſatisfy his Majeſty for the Neceſſity, or Conveniency of their proceeding.

Many men, eſpecially they, who at a diſtance obſerved and diſcerned the difficulties the King was like to encounter, wonder'd that upon ſo apparent a breach of Truſt, and act of Undutifulneſs, his Majeſty did not at that time revoke the Lord Admiral's Commiſſion which was but during pleaſure; and ſo put that ſure Guard of the Kingdom, his Navy, under ſuch a Command as he might depend upon. But the truth is, it was not Then Counſellable; for (beſides that it was eaſier to Reſolve, " that it was fit to remove the Earl of *Northumberland*, " than to find a Man competent for the place) that way it might have been poſſible to have prevented the going out of any Fleet to Sea, which would have confirmed the frantick Jealouſies of bringing in Forreign Forces; but not have reduced it to his own obedience.

They had, by degrees, ſo order'd the collection of Tonnage and Poundage, by paſſing Bills for ſix weeks and two months at a time, and putting thoſe, who ſhould receive or pay thoſe Duties otherwiſe than they were granted by thoſe Bills, into a Præmunire; and ſo terrify'd the old Cuſtomers, that the King had no other means of ſetting out his Fleet, than by the monies ariſing by the Cuſtoms, which they abſolutely diſpoſed of; and at this time had contracted with the Victualler, made the Ships ready, and hired many Merchants Ships to joyn in that Fleet for the Guard of the Seas. And whilſt this matter of the Admiral was in ſuſpence, they ſuffered the former Bill of Tonnage and Poundage to expire, and did not, till the very night before, paſs a new Bill; which could not have the Royal Aſſent till many days after, the King being then at *York*. Yet the Houſe of Commons, to ſalve all danger of the Præmunire, on the 24th of *March*, being the very day that the former Bill expired, ſent an Order to all the Collectors of the Cuſtoms, many of which could not receive it in ten days after;

" That the new Bill being paſſed by both Houſes for the continuance of thoſe " payments until the third day of *May* (which could not yet receive the Royal " Aſſent, in regard of the remoteneſs of his Majeſty's Perſon from the Parlia- " ment) which monies to be collected by that Bill were to be imployed in the ne- " ceſſary guarding of the Seas, and defence of the Common-wealth. It was

" therefore ordered by the Commons in Parliament, that the ſeveral Officers " belonging to the Cuſtom Houſe, both in the Port in *London*, and the out- " Ports, ſhould not permit any Merchant or other to Lade, or Unlade any Goods, " or Merchandizes, before ſuch Perſons do make due entries thereof in the Cuſ- " tom Houſe. And it was declared alſo by the ſaid Commons, that ſuch Offi- " cers, upon the reſpective entry made by any Merchant as aforeſaid, ſhould in- " timate to ſuch Merchant, that it was the Advice of the Commons, for the " better eaſe of the ſaid Merchants, and in regard the reſpective Duties would " relate, and become due as from that day; that the ſaid Merchants upon entry " of their Goods, as uſually they did, when a Law was in force to that purpoſe, " would depoſite ſo much money as the ſeveral Cuſtoms would amount unto, in " the hands of ſuch Officers, to be by them accounted to his Majeſty, as the " reſpective Cuſtoms due by the ſaid Bill, when the ſaid Bill ſhould have " the Royal Aſſent; or otherwiſe, his Majeſty refuſing the paſſing thereof, " the ſaid monies to be reſtored, upon demand, unto the ſeveral Merchants " reſpectively.

By which Order, which was a more abſolute Diſpenſation for a Præmunire, than ever any *Non-obſtante* granted by the Crown, the Cuſtoms were as frankly, and fully paid, as if an Act of Parliament had been paſſed for that purpoſe; and aſſoon as the Commiſſion could be ſent, and returned from *York*, the Act was paſſed. But no doubt they had a further deſign in ſuffering the Bill totally to expire, before they prepared a new One, than at that time was apprehended; and intended, under ſuch a Popular neceſſity, which ſeem'd to be occaſioned by the King's abſence, to bring their own Orders in ſuch a reputation, that in another neceſſity which They ſhould Declare, they might by the Precedent of this, which was the only indemnity all thoſe Merchants who paid, and the Officers, who received Cuſtoms, had for the preſervation of their Eſtates, be currently and abſolutely obeyed and ſubmitted to.

By this it appears the King could not at That time, with conveniency or ſafety to his Affairs, diſplace the Earl of *Northumberland*; and he believed, if his occaſions ſhould Hereafter require it, that the Time would be much more ſeaſonable, when the Fleet was at Sea; and the Thing it ſelf more practicable which was a true concluſion. However, he expreſſed ſo much diſlike againſt the Earl of *Warwick*'s commanding that Fleet, that he was not willing that any Officers, whom he valued, ſhould take imployment under him; which he had ſhortly after cauſe to repent. For, by this means, the Vice-Admiralty, which was deſigned to Captain *Cartwright*, the Controller of the Navy, who hath ſince ſufficiently teſtify'd how advantageouſly to his Majeſty he would have managed that Charge upon his refuſal (which was occaſioned by intimation from his Majeſty, as ſhall be hereafter mentioned) was conferred upon *Batten*, an obſcure fellow; and, tho' a good Sea-man, unknown to the Navy till he was two or three years before, for money, made Surveyor, who executed it ever ſince with great animoſity againſt the King's Service, of which more hereafter.

Being, by this means, ſecure at Sea, they proceeded with more Vigour at Land; and, tho' they thought it not yet ſeaſonable to execute their Ordinance for the Militia with any Form and Pomp, they directed, Underhand, their Agents and Emiſſaries, " that the People, of Themſelves, ſhould chuſe Captains " and Officers, and Train under the name of Voluntiers; which begun to be practiſed in many places of the Kingdom, but only in thoſe Corporations, and by thoſe Inferior people, who were notorious for Faction, and Schiſm in Religion. The King's Declarations, which were now carefully publiſhed, gave them ſome trouble, and made great impreſſion, in Sober men, who were moved with the Reaſon, and in Rich men, who were ſtartled at the Commands in them But that Clauſe in the King's Anſwer to their Declaration, preſented to him at *New-Market*, in which he told them, " that if they had not been informed of the " ſeditious words uſed in, and the circumſtances of the Tumults, and would ap- " point ſome way for the examination of them, that he would require ſome of " his learned Counſel to attend with ſuch evidence as might ſatisfy them, troubled them much more, For if there were ſtill ſo much courage left in the King's Counſel, that they durſt appear to inform againſt any of thoſe proceedings, which They favoured, they ſhould find men grow more affraid of the Law than

of

of Them; which would deſtroy all their deſigns. Therefore they reſolved to proceed with all expedition, and ſeverely againſt the Atturney General for his Treſpaſs and Preſumption upon their Priviledges, in the Accuſation of the five Members, and the Lord *Kimbolton*: of the circumſtances of which Proceeding, and Judgment thereupon, being as extraordinary, and as diſtant from the Rules of Juſtice, at leaſt of Practice, as any thing that then happen'd, it will not be amiſs to ſet down two or three particulars.

Shortly after they had Impeached him (which is mentioned before) and the King had found it neceſſary to give over any proſecution againſt the Others, his Majeſty being deſirous now he had freed Them, that they ſhould free His Atturney, writ a Letter from *Royſton*, when he was in his way to *York*, to the Lord Keeper; in which he told him "that the Articles, which had been pre-"ferred againſt the Members, were, by Himſelf, delivered to his Atturney "General engroſſed in paper; and that he had then commanded him to accuſe "thoſe Perſons, upon thoſe Articles of High-Treaſon, and other Miſdemea-"nours; and, in His Name, to deſire a Committee of Lords might be appoin-"ted to take the examination of ſuch Witneſſes as ſhould be produced, as for-"merly had been done in caſes of like nature, according to the Juſtice of the "Houſe. And his Majeſty did further declare, that his ſaid Atturney did not ad-"viſe or contrive the ſaid Articles, nor had any thing to do with, or in advi-"ſing, any breach of Priviledge that followed after. And for what he did in "obedience to His Commands, he conceived he was bound by Oath, and the du-"ty of his Place, and by the Truſt repoſed in him by his Majeſty, ſo to do: and "that if he had refuſed to obey his Majeſty therein, his Majeſty would have que-"ſtioned him for breach of Oath, Duty, and Truſt; but now having declared "that he found cauſe wholely to deſiſt from proceeding againſt the Perſons ac-"cuſed, he had commanded him to proceed no further therein, nor to produce, "nor diſcover any Proof concerning the ſame.

Though this Teſtimony of his Majeſty's clearly abſolved him from the Guilt, with which he was charged, yet it rather haſten'd the Trial, and ſharpen'd the edge, that was before keen enough againſt him; and the day of Trial being come, when the Members of the Commons, who were appointed for the Proſecution, found that Counſel was ready (which had been aſſigned by the Lords) for the defence of the Atturney General, they profeſſed, "that they would admit no "Counſel; that it was below the dignity of the Houſe of Commons to plead "againſt fee'd Counſel; that whoever preſumed to be of Counſel with a Per-"ſon accuſed by the Commons of *England* ſhould be taught better to know his "duty, and ſhould have cauſe to repent it. The Lords ſeem'd much moved with this reproach, that their Acts of Judicature ſhould be queſtioned, and the Counſel, which had been juſtly, and regularly aſſigned by them ſhould be threat-ned for ſubmitting to their Order. But that which troubled them moſt, was, that the Counſel, which was aſſign'd by them, upon this reprehenſion, and threat of the Commons, poſitively refuſed to meddle further in the buſineſs, or to make any Defence for the Atturney. Hereupon, they put off the Trial, and commit to the Tower of *London* Sir *Thomas Bedingfield*, and Sir *Thomas Gardner*, for their contempt in refuſing to be of Counſel with the Atturney upon their Aſſign-ment: ſtanders by looking upon the juſtice of Parliament with leſs reverence, to ſee the Subject, between the contradictory, and oppoſite Commands of both Houſes (the diſpleaſure of either being inſupportable) puniſhed and impriſoned for doing, by One, what he was ſtreightly inhibited from doing by the Other.

However, this difference gave only reſpite for ſome days to the Atturney, who was quickly again called before his Judges. To what was paſſionately and un-reaſonably objected againſt him "of breach of Priviledge and Scandal, he confi-dently alledg'd "the Duty of his place; that his Maſter's Command was War-"rant for what he had done; and that he had been juſtly puniſhable if he "had refuſed to do it, when Commanded; that there had never been a "Pretence of Priviledge in Caſe of Treaſon, the contrary whereof was not "only underſtood by the Law, but had been by Themſelves confeſſed, in a "Petition delivered by them, in the beginning of this King's Reign, upon the "impriſonment of the Earl of *Arundel*; in which it was acknowledged, that "the Priviledges of Parliament extended not to Treaſon, Felony, or refuſal to "find Sureties for the Peace; that he had no reaſon to ſuſpect the executing the "Duty of his place would have been imputed to him for any Treſpaſs, ſince the

" very ſame thing he had now done, and of which he ſtood accuſed, was done, " in the firſt year of this King's Reign, by Sir *Robert Heath*, the then Atturney " General; who exhibited Articles of High-Treaſon before their Lordſhips, " againſt the Earl of *Briſtol*, which was not then underſtood to be any breach of " Priviledge; and therefore, having ſo late a Precedent, moſt of their Lordſhips " being then Judges, he hoped he ſhould be held excuſable for not being able to " diſcern that to be a crime, which they had yet never declared to be ſo. The undeniable reaſons of his Defence (againſt which nothing was replied, " but the " inconvenience and miſchief, which would attend a Parliament, if the Members " might be accuſed of High-Treaſon without Their conſent) prevailed ſo far with the Major part of the Houſe of Peers, tho' the Proſecution was carried on with all imaginable ſharpneſs and vehemence by the Houſe of Commons, and entertained by thoſe Peers, who were of that Party, as a matter of vaſt concernment to all their hopes, that the Queſtions being put, whether he ſhould be deprived of his place of Atturney? whether he ſhould be fined to the King? whether he ſhould pay Damages to the perſons accuſed? and whether he ſhould be committed to the Tower? which were the ſeveral parts of the Sentence, which many of the Lords had preſſed he ſhould undergo, the Negative prevailed in every one of the Particulars; ſo that the Atturney was underſtood by all men, who underſtood the Rules and Practice of Parliament, to be abſolvtely abſolved from that Charge and Impeachment, by the Judgment of the Houſe of Peers.

The Houſe of Commons expreſſed all poſſible reſentment, and declared, " that " they would not reſt ſatisfy'd with the Judgment; and ſome Lords, even of thoſe who had acquitted him, were very deſirous to find out an Expedient, whereby the Houſe of Commons might be compounded with; and it was believed, that the Atturney himſelf was much ſhaken with the torrent of Malice and Prejudice, which the Houſe of Commons ſeem'd now to threaten him with; conceiving " that He and his Office now triumphed over the whole Body, and " not over ſix Members only: and therefore after ſome Days, the Houſe of Peers conſidering, " that his diſcharge was but Negative, that he ſhould not be " puniſhed in this and that degree; and that he had no Abſolution from the " crimes, with which he was charged, proceeded to a new Judgment (contrary to all courſe and practice of Parliament, or of any Judicial Court) and complying with all their other Votes, Reſolved, by way of Judgment upon him, " that he " ſhould be diſabled from ever being a Parliament Man; incapable of any place of " Judicature, or other preferment, than of Atturney General; which they could not deprive him of by reaſon of the former Vote: and " that he ſhould " be committed to the Priſon of the Fleet. Which Sentence was with all Formality pronounced againſt him, and he committed to the Fleet accordingly; with which Sentence the Commons were no more ſatisfy'd than with the Former; ſome of them looking that their Favorite, the Sollicitor, ſhould have the place of Atturney; Others, that the accuſed Members ſhould receive ample Damages by way of reparation; without which they could not think themſelves ſecure from the like Attempts.

Having, by this extraordinary and exemplary proceeding, fortify'd their Priviledges againſt ſuch Attempts, and ſecured their Perſons from being accuſed, or proceeded againſt by Law, they uſed no leſs ſeverity, againſt all thoſe who preſumed to queſtion the juſtice, or prudence of their Actions, eſpecially againſt thoſe, who following the Method that had done ſo much hurt, drew the people to Petition for that which they had no mind to grant; and in this proſecution they were not leſs ſevere, and vehement, than againſt the higheſt Treaſon could be imagined.

Upon the Petition mentioned before, that was framed in *London* againſt their ſetling the Militia, they committed one *George Binion*, a Citizen of great reputation for Wealth and Wiſdom, and who was indeed a very ſober man. After he had lain ſome time in Priſon, the Lords, according to Law, bailed him; but the Commons cauſed him the next day to be recommitted, and preferred an Impeachment againſt him, for no other crime but " adviſing and contriving that " Petition. The Gentleman defended himſelf, " that it was allways held, and " ſo publickly declared this Parliament, to be Lawful, in a modeſt way, to Pe- " tition for the removal, or prevention of any grievance: that obſerving very

" many

" many Petitions to be delivered, and received, for the ſetling the Militia, in " another way than was then agreeable to the Law, or had been practiced, and " conceiving that the ſame would prove very prejudicial to the City of *London*, " of which he was a Member, he had joyn'd with many other Citizens, of known " ability and integrity, in a Petition againſt ſo great an inconvenience; which, " he preſumed was lawful for him to do. How reaſonable ſoever this Defence was, the Houſe of Peers adjudged him " to be Disfranchiſed, and incapable of " any Office in the City; to be committed to the Common Goal of *Colcheſter* (for his Reputation was ſo great in *London*, that they would not truſt him in a City Priſon) and Fined him three thouſand pounds.

About the ſame time, at the General Aſſizes in *Kent*, the Juſtices of Peace, and principal Gentlemen of that County, prepared a Petition to be preſented to the two Houſes, with a deſire, " that the Militia might not be otherwiſe ex- " erciſed in that County, than the known Law permitted: and that the Book " of Common Prayer, eſtabliſhed by Law, might be obſerved. This Petition was communicated by many to their friends, and Copies thereof ſent abroad, before the Subſcription was ready; whereupon the Houſe of Peers took notice of it, as tending to ſome Commotion in *Kent*; and in the Debate, the Earl of *Briſtol* taking notice " that he had ſeen a Copy of it, and had ſome conference " about it with Judge *Mallet*, who was then Judge of Aſſize in *Kent*, and newly return'd out of his Circuit, both the Earl and Judge, for having but ſeen the Petition, were preſently committed to the Tower; and a Declaration publiſhed, " that none ſhould preſume to deliver that, or the like Petition to either Houſe. Notwithſtanding which, ſome Gentlemen of *Kent*, with a great Number of the Subſtantial Inhabitants of that County, came to the City; which upon the Alarum was put in Arms; ſtrong Guards placed at *London-Bridge*, where the Petitioners were diſarmed, and only ſome few ſuffered to paſs with their Petition to *Weſtminſter*; the reſt forced to return to their Country. And upon the delivery thereof to the Houſe of Commons (tho' the ſame was very modeſt, and in a more dutiful Dialect than moſt Petitions delivered to them) the bringers of the Petition were ſharply reprehended; two or three of them committed to ſeveral Priſons; the Principal Gentlemen of the Country, who had ſubſcribed and adviſed it, ſent for as Delinquents; Charges, and Articles of Impeachment, drawn up againſt them; and a Declaration publiſhed, " that whoſoever ſhould henceforth " adviſe, or contrive the like Petitions ſhould be proceeded againſt, as Enemies " to the Common-wealth. So unlike, and different were their tempers, and reception of thoſe modeſt Addreſſes, which were for duty and obedience to the Laws eſtabliſhed; and thoſe which preſſed, and brought on Alteration and Innovation. But that injuſtice gave great life, and incouragement to their own Proſelytes; and taught Others to know that their being Innocent would not be long Eaſy or Safe: and this kind of Juſtice extended it ſelf in the ſame meaſure to their own Members, who oppoſed their Irregular determinations; who, beſides the agony and vexation of having the moſt plain reaſon, and confeſſed Law rejected, and overruled with contempt and noiſe, were liable to all the Perſonal reproaches and diſcountenance, that the Pride and Petulancy of the other Party, could lay upon them; and were ſometimes impriſoned and diſgraced, for Freely ſpeaking their Opinions, and Conſcience in Debate.

All ſorts of men being thus terrifyed, the Commons remember'd, that a great Magazine of the King's Ammunition lay ſtill at *Hull*; and tho' that Town was in the cuſtody of a Confident of their own, yet they were not willing to venture ſo great a treaſure ſo near the King, who continued at *York*, with a great reſort of Perſons of Honour and Quality from all parts; and therefore they reſolved, under pretence of ſupplying *Ireland*, to remove it ſpeedily from thence; and moved the Lords, " to joyn with them in an Order to that purpoſe. The Lords, who proceeded with leſs Fury, and more Formality, deſired, " that " it might be done with the King's conſent. After a long Debate, the One thinking they merited much by that Civility, the other contented to gratify thoſe in the Ceremony, who, they knew, would in the end concur with them, a Petition was agreed upon to be ſent to his Majeſty; in which, that he might the ſooner yield to them in this matter, they reſolved to remember him of that which, they thought, would reflect on him with the People, and to " move " him to take off the Reprieve from the ſix Prieſts, which is before mentioned.

A Petition from the two Houſes to remove the Magazine from Hull.

And ſo they ſent their Petition to him, telling him, " that they found the Stores " of Arms, and Ammunition in the Tower of *London* much diminiſhed; and " that the neceſſity for ſupply of his Kingdom of *Ireland* (for which they had " been iſſued from thence) daily increaſed; and that the occaſion, for which " the Magazine was placed at *Hull*, was now taken away; and conſidering it " would be kept at *London* with leſs charge, and more ſafety, and tranſported " thence with much more convenience for the ſervice of the Kingdom of *Ire-* " *land*; they therefore humbly prayed, that his Majeſty would be graciouſly " pleaſed to give leave, that the ſaid Arms, Cannon, and Ammunition, now " in the Magazine of *Hull*, might be removed to the Tower of *London*, ac- " cording as ſhould be directed by both his Houſes of Parliament: And where- " as ſix Prieſts, then in *Newgate*, were condem'd to dye, and by his Majeſty had " been reprieved, they humbly prayed his Majeſty to be pleaſed, that the ſaid " Reprieves might be taken off, and the Prieſts executed according to Law. To which Petition his Majeſty immediately returned Anſwer in theſe words:

His Majeſty's Anſwer.

" We rather expected, and have done long, that You ſhould have given Us " an Account, why a Garriſon hath been placed in Our Town of *Hull*, without " our Conſent, and Soldiers billetted there againſt Law, and expreſs words of the " Petition of Right, than to be moved, for the avoiding of a needleſs charge " you have put upon your ſelves, to give Our Conſent for the removal of Our " Magazine and Munition, Our own proper Goods, upon ſuch General reaſons " as indeed give no ſatisfaction to Our Judgment: And ſince you have made " the buſineſs of *Hull* your Argument, We would gladly be informed, why Our " own inclination, on the general rumour of the deſigns of Papiſts in the Nor- " thern Parts, was not thought ſufficient ground for Us to put a Perſon of Ho- " nour, Fortune, and unblemiſh'd Reputation into a Town and Fort of Our own, " where Our own Magazine lay; and yet the ſame rumour be Warrant enough " for You to commit the ſame Town and Fort, without Our Conſent, to the " hands of Sir *John Hotham*, with a power unagreeable to the Law of the Land, " or the Liberty of the Subject.

" And yet of this, in point of Right, or Priviledge, for ſure we are not with- " out Priviledge too, We have not all this while complained: and being confi- " dent that the place, whatſoever diſcourſe there is of Publick or Private In- " ſtructions to the contrary, ſhall be ſpeedily given up, if We ſhall require it, " We ſhall be contented to diſpoſe our Munition there, as We have done in " other places, for the publick eaſe and benefit, as, upon particular advice, We " ſhall find convenient; tho' We cannot think it fit, or conſent, that the whole " Magazine be removed together. But when you ſhall agree upon ſuch propor- " tions as ſhall be held neceſſary for any particular ſervice, We ſhall ſign ſuch " Warrants as ſhall be agreeable to Wiſdom and Reaſon; and if any of them be " deſigned for *Ulſter* or *Lemſter*, you know well the conveyance will be more " eaſy, and convenient from the place they are Now in. Yet We muſt tell " you, that if the fears are ſo great from the Papiſts at home, or of Forreign " Force, as is pretended, it ſeems ſtrange that you make not proviſion of Arms, " and Munition for defence of this Kingdom, rather than ſeek to carry any " more from hence, without ſome courſe taken for ſupply; eſpecially, if you " remember your engagement to Our Scots Subjects, for that proportion of " Arms, which is contained in your Treaty. We ſpeak not this, as not think- " ing the ſending of Arms to *Ireland* very neceſſary, but only for the Way of " the proviſion. For You know what great quantities We have Aſſigned out of " Our ſeveral Stores, which, in due time, We hope, You will ſee repleniſhed. " For the Charge of looking to the Magazine at *Hull*, as it was undertaken Vo- " luntarily by You at firſt, and, to ſay no more, Unneceſſarily; ſo You may " free Our good People of that Charge, and leave it to Us to look to, who " are the proper Owner of it. And this, We hope, will give you full ſatisfac- " tion in this point, and that Ye do not, as you have done in the buſineſs of " the Militia, ſend this Meſſage out of Complement and Ceremony, reſolving " to be your Own Carvers at laſt. For we muſt tell you, if any attempt ſhall " be made or given in this matter, without Our Conſent or Approbation, We " ſhall eſteem it as an Act of Violence againſt Us; and declare it to all the " world, as the greateſt Violation of Our Right, and breach of Our Privi- " ledge.

" Concer-

" Concerning the ſix Prieſts condemn'd, it is true, they were reprieved by " Our Warrant, We being informed that they were, by ſome reſtraint, diſabled " to take the benefit of Our former Proclamation; ſince that We have iſſued out " another, for the due execution of the Laws againſt Papiſts; and have moſt " ſolemnly promiſed, in the word of a King, never to pardon any Prieſt, with- " out Your conſent, which ſhall be found guilty by Law; deſiring to baniſh theſe, " having herewith ſent our Warrant to that purpoſe, if, upon ſecond thoughts, " You do not diſapprove thereof. But if You think the Execution of theſe " perſons ſo very neceſſary to the great, and pious work of Reformation, We " refer it wholely to You; declaring hereby, that upon ſuch Your Reſolution " ſignify'd to the Miniſters of Juſtice, Our Warrant for their Reprieve is de- " termined, and the Law to have the courſe. And now let Us ask you (for " We are willing to husband time, and to diſpatch as much as may be under " One Meſſage; God knows the diſtractions of this Kingdom want a preſent " remedy) will there Never be a time to Offer to, as well as to Ask of Us? " We will propoſe no more particulars to you, having no luck to pleaſe, or to " be underſtood by you; take your own time for what concerns Our particular: " but be ſure you have an early, ſpeedy care of the Publick; that is, of the on- " ly Rule that preſerves the Publick, the Law of the Land; preſerve the dig- " nity and reverence due to That. It was well ſaid in a Speech, made by a pri- " vate perſon; it was Mr. *Pym*'s Speech againſt the Earl of *Strafford*, but pub- " liſhed by Order of the Houſe of Commons this Parliament: the Law is that, " which puts a difference betwixt Good and Evil, betwixt Juſt and Unjuſt. " If you take away the Law, all things will fall into a confuſion, every man " will become a Law unto himſelf; which, in the depraved condition of Hu- " man Nature, muſt needs produce many great enormities. Luſt will become a " Law, and Envy will become a Law; Covetouſneſs and Ambition will become " Laws; and what dictates, what deciſions, ſuch Laws will produce, may eaſily " be diſcerned. So ſaid that Gentleman, and much more, very well, in defence " of the Law, and againſt Arbitrary Power. It is worth looking over, and con- " ſidering: and if the moſt zealous defence of the true Proteſtant profeſſion, " and the moſt reſolved protection of the Law, be the moſt neceſſary duty of a " Prince, We cannot believe this miſerable diſtance, and miſunderſtanding, can " be long continued between us, We having often, and earneſtly declared them " to be the chiefeſt deſires of Our Soul, and the End and Rule of all Our Ac- " tions. For *Ireland*, We have ſufficiently, and We hope ſatisfactorily, expreſ- " ſed to all Our good Subjects Our hearty ſenſe of that ſad buſineſs, in our ſeve- " ral Meſſages on that Argument, but eſpecially in Our laſt of the eighth of this " Month, concerning Our Reſolution for that Service, for the Speedy, Honou- " rable, and Full Performance whereof, We conjure You to yield all poſſible Aſſi- " ſtance, and Preſent advice.

This Anſwer was received with the uſual circumſtances of trouble and diſcontent, the taxing of evil Counſellors, and Malignant perſons about the King; and that Clauſe about the condemn'd Prieſts exceedingly diſpleaſed them; for, by the King's reference of the matter entirely to Them, he had removed the ſcandal from Himſelf, and laid it at Their doors; and tho' they were well content, and deſirous, that they ſhould have been Executed by the King's Warrant for taking off his own Reprieve, (whereby they ſhould have made him retract an Act of his Own Mercy, and undeniably within his own Power; and thereby have leſſen'd much of the Devotion of that People to him, when they ſhould have ſeen him quit his power of preſerving them in the leaſt degree) yet, for many reaſons, they were not willing to take that harſh part upon Themſelves; and ſo thoſe condemn'd Prieſts were no more proſecuted, and were much ſafer under that Reference for their execution, than they could have been, at that time, by a Pardon under the Great Seal of *England*. For the other part of the Anſwer concerning the Magazine, it made no pauſe with them; but within few days after, they ſent a Warrant to their own Governour, Sir *John Hotham*, to deliver it; and to their own Admiral, the Earl of *Warwick*, to tranſport it to *London*; which was, notwithſtanding the King's inhibition, done accordingly. But they had at that time another Meſſage from the King, which was referr'd to in the laſt Clauſe of that Anſwer, and came to their hands ſome few days be-

fore, that gave them ſome ſerious trouble and apprehenſion; the grounds and reaſons of which were theſe.

The King finding, that notwithſtanding all the profeſſions, and proteſtations he could make, the buſineſs of *Ireland* was ſtill unreaſonably objected to him, as if he were not cordial in the ſuppreſſing that Rebellion, ſent a Meſſage to both Houſes:

His Majeſty's Meſſage to both Houſes, Apr. 8. 1642. offering to go in Perſon into Ireland.

"That being grieved at the very Soul for the calamities of his good Subjects of *Ireland*, and being moſt tenderly ſenſible of the falſe, and ſcandalous reports diſperſed amongſt the People concerning the Rebellion there; which not only wounded his Majeſty in Honour, but likewiſe greatly retarded the reducing that unhappy Kingdom, and multiply'd the diſtractions at Home, by weakning the mutual confidence between him, and his People: out of his pious Zeal to the Honour of Allmighty God, in eſtabliſhing the true Proteſtant profeſſion in that Kingdom, and his Princely care for the good of all his Dominions, he had firmly reſolved to go with all convenient ſpeed into *Ireland*, to chaſtiſe thoſe wicked and deteſtable Rebels, odious to God, and all good men; thereby ſo to ſettle the Peace of That Kingdom, and the ſecurity of This, that the very Name of Fears and Jealouſies might be no more heard of amongſt them.

"And He ſaid, as he doubted not, but his Parliament would chearfully give all poſſible Aſſiſtance to this good Work, ſo he required them, and all his loving Subjects, to believe, that he would, upon thoſe conſiderations, as earneſtly Purſue that deſign, not declining any hazard of his Perſon in performing that duty, which he owed to the defence of God's true Religion, and his diſtreſſed Subjects, as he Undertook it for thoſe only ends; to the ſincerity of which profeſſion, he called God to Witneſs, with this further aſſurance, that he would never conſent, upon whatſoever pretence, to a Toleration of the Popiſh profeſſion there, or the abolition of the Laws now in force againſt Popiſh Recuſants in that Kingdom.

"His Majeſty further advertiſed them, that, towards this work, he intended to raiſe forthwith, by his Commiſſions, in the Counties near *Weſt-Cheſter*, a Guard for his own Perſon (when he ſhould come into *Ireland*) conſiſting of two thouſand Foot, and two hundred Horſe, which ſhould be armed at *Weſt-Cheſter*, from his Magazine at *Hull*; at which time, he ſaid, all the Officers, and Soldiers, ſhould take the Oaths of Supremacy and Allegiance; the Charge of raiſing and paying whereof, he deſired the Parliament to add to their former undertakings for that War; which he would not only well accept, but, if their Pay ſhould be found too great a burthen to his good Subjects, he would be willing, by the advice of his Parliament, to ſell, or pawn, any of his Parks, Lands, or Houſes, towards the ſupplies of the ſervice of *Ireland*. With the addition of theſe Levies to the former of Engliſh, and Scots, agreed upon in Parliament, he ſaid, he hoped ſo to appear in that Action, that, by the Aſſiſtance of Allmighty God, that Kingdom, in a ſhort time, might be wholely reduced, and reſtored to peace, and ſome meaſure of happineſs; whereby he might chearfully return, to be welcomed home with the affections, and bleſſings of all his good Engliſh People.

"Towards this good work, he ſaid, as he had lately made diſpatches into *Scotland*, to quicken the Levies there for *Ulſter*, ſo he heartily wiſhed, that his Parliament would give all poſſible expedition to thoſe, which they had reſolved for *Munſter*, and *Canaught*; and hoped the encouragement, which the Adventurers, of whoſe intereſts he would be allways very careful, would hereby receive, would raiſe full ſums of money for the doing thereof. He told them, that out of his earneſt deſire to remove all occaſions, which did unhappily multiply miſunderſtandings between him and his Parliament, he had likewiſe prepared a Bill to be offer'd to them by his Atturney concerning the Militia; whereby, he hoped, the Peace and ſafety of the Kingdom might be fully ſecured to the general ſatisfaction of all men, without Violation of his Majeſty's Juſt Rights, or prejudice to the Liberty of the Subject. If this ſhould be thankfully received, he ſaid, he ſhould be glad of it; if refuſed, he muſt call God, and all the world, to judge on Whoſe part the default was; only he required, if the Bill ſhould be approved of, that if any Corporation ſhould make their Lawful Rights appear, they might be reſerved to them. He ſaid,

"before

" before he would part from *England*, he would take all due care to entruſt " ſuch Perſons with ſuch Authority in his abſence, as he ſhould find to be requiſite " for the peace and ſafety of the Kingdom, and the happy progreſs of the Par- " liament.

They neither before nor after ever received any Meſſage from his Majeſty, that more diſcompoſed them; and ſo much the more, becauſe that which gave them moſt Umbrage, could not be publickly and ſafely avowed by them. For tho' to thoſe who had a due reverence to the King's Perſon, and an impatient deſire, that all miſunderſtandings might be compoſed, they urged " the hazard, " and danger to his Majeſty's Perſon, in ſuch an expedition, and the increaſe of " jealouſies and diſtractions, that would enſue in this Kingdom by his Abſence; and to others, who from the barbarity, inhumanity, and unheard of cruelty, exerciſed by the Rebels in *Ireland* upon the Engliſh Proteſtants (of which they every day received freſh and bleeding evidence) had contracted a great animoſity againſt that whole Nation, and were perſwaded that the work of extirpation was not ſo difficult as in truth it was; and to the Adventurers, who had diſburſed great ſums of money, and had diſgeſted a full Aſſurance of Ample recompence by Confiſcations, and Forfeitures; " that by this Voyage of the King, " a Peace would be in a ſhort time concluded in that Kingdom, to their great " diſadvantage and damage; yet the true Reaſons, which ſurpriſed and ſtartled them, were, that hereby the managing the War of *Ireland* would be taken out of their hands; and ſo, inſtead of having a Nurſery for Soldiers of their Own, which they might imploy as they ſaw occaſion; and a power of raiſing what money they pleaſed in this Kingdom under that title, which they might diſpoſe, as they found moſt fit for their affairs; the King would probably in a ſhort time recover One entire Kingdom to his obedience, by which he might be able to preſerve the peace of the Other Two. However, working by ſeveral Impreſſions upon ſeveral Affections, they found it no difficult thing to perſwade, almoſt an Unanimous averſion from approving the Journey; they who uſually oppoſed their advice, not enduring to think of ſtaying in *England*, where the power, at leaſt for a time, would be in Them, whoſe Government, they knew, would be terrible when his Majeſty ſhould be in *Ireland*. Upon this they diſpatched a Magiſterial Anſwer to the King, in which they told him;

The Anſwer of both Houſes to his Majeſty's Meſſage of his going in Perſon into Ireland, Apr. 28, 1642.

" That the Lords and Commons in Parliament, had duly conſidered the Meſ- " ſage, received from his Majeſty, concerning his purpoſe of going into *Ireland* " in his Own Perſon to proſecute the War there, with the bodies of his Engliſh " Subjects, levied, tranſported, and maintained at their Charge; which he was " pleaſed to propound to them, not as a matter wherein he deſired the advice " of his Parliament, but as already firmly reſolved on, and forthwith to be put " in execution, by granting out Commiſſions for the levying of two thouſand " Foot, and two hundred Horſe, for a Guard for his Perſon when he ſhould " come into that Kingdom; wherein, they ſaid, they could not but, with all " reverence and humility to his Majeſty, obſerve, that he had declined his " Great Council, the Parliament, and varied from the uſual Courſe of his Roy- " al Predeceſſours; that a buſineſs of ſo great importance concerning the Peace " and Safety of all his Subjects, and wherein they have a ſpecial intereſt, by " his Majeſty's promiſe, and by thoſe great ſums, which they had diſburſed, and " for which they ſtood ingaged, ſhould be concluded, and undertaken without " their advice; whereupon, they ſaid, they held it their duty to declare, that " if, at that time, his Majeſty ſhould go into *Ireland*, he would very much en- " danger the ſafety of his Royal Perſon, and Kingdoms, and of all other States " profeſſing the Proteſtaat Religion in *Chriſtendom*, and make way to the execu- " tion of that cruel, and bloody deſign of the Papiſts, every where to root out " and deſtroy the Reformed Religion; as the Iriſh Papiſts had already, in a great " part, effected in that Kingdom: and, in all likelyhood, would quickly be at- " tempted in other places, if the conſideration of the ſtrength, and union of " the two Nations of *England*, and *Scotland*, did not much hinder, and diſcou- " rage the execution of any ſuch deſign. And that they might manifeſt to his " Majeſty the danger and miſery, which ſuch a journey and enterprize would " produce, they preſented to his Majeſty the reaſons of that their humble opi- " nion and advice:

1. "His Royal Perſon would be ſubject, not only to the caſualty of War, but "to ſecret Practices and Conſpiracies; eſpecially his Majeſty continuing his pro- "feſſion to maintain the Proteſtant Religion in that Kingdom, which the Pa- "piſts were generally bound by their vow to extirpate.

2. "It would exceedingly encourage the Rebels; who did generally profeſs "and declare, that his Majeſty did favour and allow their proceedings, and that "this Inſurrection was undertaken by the Warrant of his Commiſſion; and it "would make good their expectation of great advantage, by his Majeſty's pre- "ſence at that time, of ſo much diſtraction in this Kingdom, whereby they "might hope the two Houſes of Parliament would be diſabled to ſupply the "War there, eſpecially there appearing leſs neceſſity of his Majeſty's Journey at "that time, by reaſon of the manifold ſucceſſes, which God had given againſt "them.

3. "It would much hinder, and impair the means whereby the War was to "be ſupported, and increaſe the Charge of it, and in both theſe reſpects make "it more inſupportable to the Subject; and this, they ſaid, they could confi- "dently affirm; becauſe many of the Adventurers, who had already ſubſcribed, "did, upon the knowledge of his Majeſty's intention, declare their reſolution "not to pay in their money; and others, very willing to have ſubſcribed, do "Now profeſs the contrary.

4. "His Majeſty's abſence muſt neceſſarily very much interrupt the proceed- "ings of Parliament; and deprive his Subjects of the benefit of thoſe further "Acts of Grace and Juſtice, which they ſhould humbly expect from his Majeſty "for the eſtabliſhing a perfect Union, and mutual Confidence between his Ma- "jeſty and his People, and procuring, and confirming the proſperity, and hap- "pineſs of both.

5. "It would exceedingly increaſe the Fears and Jealouſies of his People; "and render their Doubts more probable, of ſome Force intended, by ſome evil "Counſels near his Majeſty, in oppoſition of the Parliament, and favour of the "Malignant Party of this Kingdom.

6. "It would bereave his Parliament of that advantage, whereby they were "induced to undertake that War, upon his Majeſty's promiſe, that it ſhould "be managed by Their advice; which could not be done, if his Majeſty, con- "trary to their Counſels, ſhould undertake to order, and govern it in his own "Perſon.

"Upon which, and divers other reaſons, they ſaid, they had Reſolved, by "the full and concurrent Agreement of both Houſes, that they could not, with "diſcharge of their duty, conſent to any Levies or raiſing of Soldiers to be "made by his Majeſty, for that his intended expedition into *Ireland*; or to the "payment of any Army, or Soldiers there, but ſuch as ſhould be imployed, "and governed according to their advice and direction: and that, if ſuch Le- "vies ſhould be made by any Commiſſion of his Majeſty's, not agreed to by "both Houſes of Parliament, they ſhould be forced to interpret the ſame to "be raiſed to the Terrour of his People, and Diſturbance of the Publick Peace; "and did hold themſelves bound, by the Laws of the Kingdom, to apply the "Authority of Parliament to ſuppreſs the ſame.

"And, they ſaid, they did further moſt humbly declare, that if his Majeſty "ſhould by ill Counſel be perſwaded to go, contrary to that advice of his Par- "liament (which they hoped his Majeſty would not) they did not, in that caſe, "hold themſelves bound to ſubmit to any Commiſſioners, which his Majeſty "ſhould chooſe; but did Reſolve to Preſerve and Govern the Kingdom, by the "Counſel and Advice of Parliament, for his Majeſty and his Poſterity, accord- "ing to their Allegiance, and the Law of the Land: wherefore, they did moſt "humbly pray, and adviſe his Majeſty, to deſiſt from that his intended paſſage "into *Ireland*, and from all preparation of Men and Arms tending thereunto; "and to leave the managing of that War to his Parliament, according to his "promiſe made unto them, and his Commiſſion granted under his Great Seal "of *England*, by advice of both Houſes; in proſecution whereof, by God's "bleſſing, they had already made a proſperous entrance, by many defeats of "the Rebels, whereby they were much weakned and diſheartned; and had no "probable means of ſubſiſtence, if the proceedings of the two Houſes were not "interrupted by that interpoſition of his Majeſty's Journey: but they hoped,

upon

" upon good grounds, that, within a ſhort time, without hazard of his Perſon, " and ſo much dangerous confuſion in his Kingdoms, which muſt needs enſue, if " he ſhould proceed in that reſolution, they ſhould be enabled fully to vindicate " his Majeſty's Right, and Authority in that Kingdom; and puniſh thoſe horri- " ble, outragious cruelties, which had been committed in the murthering, and " ſpoiling ſo many of his Subjects; and to bring that Realm to ſuch a condition, " as might be much to the Advantage of his Majeſty and the Crown, and the " Honour of his Government, and Contentment of his People: for the better " and more ſpeedy effecting whereof, they did again renew their humble deſires " of his return to his Parliament; and that he would pleaſe to reject all Counſels, " and Apprehenſions, which might any way derogate from that faithfulneſs, " and Allegiance, which, in truth and ſincerity, they had always born and pro- " feſſed to his Majeſty, and ſhould ever make good, to the uttermoſt, with their " Lives and Fortunes.

To this Petition (the Matter whereof finding a general concurrence, there was the leſs debate, and contradiction upon the Manner of expreſſion) being ſent to the King to *York*; and, in the mean time, all preparations being ſuſpended for the neceſſary relief for *Ireland*, inſomuch as with the Votes (which were preſently printed) againſt the King's Journey, there was likewiſe an Order printed to diſcourage the Adventurers from bringing in their Money; the which, tho' it had no Approbation from either Houſe, and ſeem'd to be angrily interpreted by them, and the Printer was order'd to be found out and puniſhed, yet did wholely ſtop that Service; and by the no-enquiry, or puniſhment of that boldneſs, appear'd to be done by deſign, his Majeſty ſpeedily returned this Anſwer.

The King's Reply touching his going into Ireland.

" That he was ſo troubled, and aſtoniſhed to find that unexpected reception, " and miſunderſtanding of his Meſſage concerning his Iriſh Journey, that (being " ſo much diſappointed of the Approbation, and Thanks he looked for to that " Declaration) he had great cauſe to doubt, whether it were in his power, to " Say or Do any thing, which would not fall within the like interpretation: but " he ſaid, as he had, in that Meſſage, called God to Witneſs the ſincerity of " the profeſſion of his only ends for the undertaking that Journey; ſo he muſt " appeal to all his good Subjects, and the whole world, whether the reaſons al- " ledged againſt that Journey, were of Weight to ſatisfy his underſtanding; or " the Counſel preſented to diſſwade him from it, were full of that Duty, as " was like to prevail over his Affections. For the reſolving of ſo great a buſi- " neſs without the Advice of his Parliament, he ſaid, he muſt remember them, " how often, by his Meſſage, he made the ſame offer, if They ſhould adviſe him " thereunto; to which they never gave him the leaſt Anſwer; but in their late " Declaration, told him, that they were not to be ſatisfy'd with Words: ſo " that he had reaſon to conceive, they rather avoided, out of regard to his Per- " ſon, to give him Counſel to run that hazard, than that they diſapproved the " inclination. And, he asked them, what greater comfort, or ſecurity the Pro- " teſtants of *Chriſtendom* could receive, than by ſeeing a Proteſtant King ven- " ture, and engage his Perſon for the Defence of That Religion, and the Sup- " preſſion of Popery? to which he ſolemnly proteſted, in that Meſſage, never to " grant a Toleration, upon what pretence ſoever, or any abolition of any of " the Laws There in force againſt the Profeſſors of it. And, he ſaid, when he " conſidered the great calamities, and unheard of cruelties, his poor Proteſtant " Subjects in that Kingdom had undergone for the ſpace of near, or full ſix " Months; the growth and increaſe of the ſtrength of thoſe barbarous Rebels; " and the evident probability of forreign ſupplies, if they were not ſpeedily " ſuppreſſed; the very ſlow ſuccours hitherto ſent them from hence: that the " Officers of ſeveral Regiments, who had long time been allowed entertainment " from them for that Service, had not raiſed any ſupply, or ſuccour for that " Kingdom; that many Troops of Horſe had long lain near *Cheſter* untranſported; " that the Lord Lieutenant of *Ireland*, on whom he relied principally for the " conduct, and managing of Affairs there, was ſtill in this Kingdom, notwith- " ſtanding his Majeſty's earneſtneſs expreſſed, that he ſhould repair to his Com- " mand: and when he conſider'd the many and great ſcandals raiſed upon him- " ſelf by report of the Rebels, and not ſufficiently diſcountenanced Here, not- " withſtanding ſo many profeſſions of his Majeſty; and had ſeen a Book lately

" printed by the Order of the Houſe of Commons, entitled, a Remonſtrance of " divers remarkable paſſages concerning the Church and Kingdom of *Ireland*, " wherein ſome Examinations were ſet down (how improbable or impoſſible ſo- " ever) which might make an impreſſion in the minds of many of his weak Sub- " jects, And laſtly, when he had duly weighed the diſhonour that would per- " petually lie upon this Kingdom, if full and ſpeedy relief were not diſpatched " thither; his Majeſty could not think of a better way to diſcharge his Duty to " Allmighty God, for the defence of the true Proteſtant Religion, or to mani- " feſt his Affection to his three Kingdoms, for their preſervation, than by en- " gaging his Perſon in that expedition, as many of his Royal Progenitors had " done, even in Forreign Parts, upon cauſes of Leſs importance and piety, " with great Honour to themſelves, and Advantage to this Kingdom. And " therefore, he expected at leaſt Thanks for ſuch his inclination.

" For the danger to his Perſon, he ſaid, he conceived it neceſſary and wor- " thy of a King, to adventure his Life to preſerve his Kingdoms; neither could " it be imagined that he would ſit ſtill, and ſuffer his Kingdoms to be loſt, and " his good Proteſtant Subjects to be Maſſacre'd, without expoſing his own Per- " ſon to the utmoſt hazard for their relief and preſervation; his life, when it was " moſt pleaſant, being nothing ſo precious to him, as it was, and ſhould be, to " govern and preſerve his People with Honour, and Juſtice.

" For any encouragement to the Rebels, becauſe of the Reports they raiſed, " he ſaid, he could not conceive, that the Rebels were capable of a greater ter- " rour, than by the Preſence of their Lawful King, in the head of an Army, " to chaſtize them. Beſides, it would be an unſpeakable advantage to them, " if any report of Theirs could hinder him from doing any thing, which were " fit for him to do, if ſuch report were not raiſed: that would quickly teach " them, in this Jealous age, to prevent, by ſuch reports, any other Perſons " coming againſt them, whom they had no mind ſhould be employ'd.

" He told them, that he marvelled, that the Adventurers, whoſe advantage " was a principal motive (next the reaſons before mentioned) to him, ſhould " ſo much miſtake his purpoſe; whoſe intereſt he conceived muſt be much im- " proved by the expedition he hoped, by God's bleſſing, to uſe in that Service; " that being the moſt probable way for the ſpeedy Conqueſt of the Rebels, " their Lands were ſufficiently ſecured by Act of Parliament.

" He told them, he thought himſelf not kindly uſed, that the addition of ſo " few Men to their Levies (for a Guard to his Perſon in *Ireland*) ſhould be " thought fit for their refuſal; and much more, that having uſed ſo many cau- " tions in that Meſſage, both in the ſmalneſs of the number; in his having raiſed " none, until their Anſwer; in their being to be raiſed only near the place of " ſhipping; in their being There to be armed, and that not till they were rea- " dy to be ſhipp'd; in the proviſion, by the Oaths, that none of them ſhould " be Papiſts (all which were ſufficient to deſtroy all grounds of Jealouſy of any " Force intended by them in oppoſition to the Parliament, or favour to any Ma- " lignant Party) any Suſpicion ſhould, notwithſtanding, be grounded upon it.

" Neither, he ſaid, could it be underſtood, that when he recommended the " managing of that War to Them, he intended to exclude Himſelf, or not " to be concerned in their Counſels, that if he found any Expedient (which, in " his conſcience and underſtanding, he thought neceſſary for that great work) " he might not put it in practice. He told them, he looked upon them as his great " Council, whoſe advice he always had, and would, with great regard and " deliberation, weigh and conſider: but he looked upon himſelf as neither de- " prived of his Underſtanding, or deveſted of any Right he had, if there were " no Parliament ſitting, He ſaid, he called them together, by his own Writ " and Authority (without which they could not have met) to give him faithful " Counſel about his Great Affairs; but he reſigned not up his own Intereſt, " and Freedom; he never ſubjected himſelf to Their abſolute Determination: " He had always weighed their Counſels, as proceeding from a Body intruſted " by him; and when he had diſſented from them, he had returned them the " reaſons, which had prevailed with his conſcience and underſtanding, with " that Candour, which a Prince ſhould uſe towards his Subjects; and that Af- " fection, which a Father could expreſs to his Children. What application had " been uſed to rectify his Underſtanding by Reaſons, or what Motives had been

" given

"given to perſwade his Affections, he would leave all the world to judge. And "then, he ſaid, he muſt tell them, howſoever a major part might bind Them in "matter of opinion, he held himſelf, (and he was ſure the Law and Conſtitu- "tion of the Kingdom had always held the ſame) as free to diſſent, till his Rea- "ſon was convinced, for the General Good, as if they had delivered No opi- "nion.

"For his Journey it ſelf, he told them the circumſtances of their Petition "were ſuch, as he knew not well what Anſwer to return, or whether he were "beſt to give Any? that part which pretended to carry Reaſon with it, did no "way ſatisfy him; the Other, which was rather Reprehenſion and Menace, "than Advice, could not ſtagger him. His Anſwer therefore was, that he "ſhould be very glad to find the work of *Ireland* ſo eaſy, as they ſeem'd to think "it; which did not ſo appear by any thing known to him, when he ſent his "Meſſage: and tho' he would never refuſe, or be unwilling, to venture his Per- "ſon, for the Good and Safety of his People, he was not ſo weary of his life, "as to hazard it Impertinently; and therefore, ſince they ſeem'd to have recei- "ved Advertiſements of ſome late, and great ſucceſſes in that Kingdom, he "would ſtay ſome time to ſee the event of thoſe, and not purſue his reſolu- "tion till he had given them a Second notice; but, if he found the miſerable "condition of his poor Subjects of that Kingdom were not ſpeedily relieved, "he would, with God's Aſſiſtance, viſit them with ſuch Succours, as his Parti- "cular credit and intereſt could ſupply him with, if They refuſed to Joyn with "him. And he doubted not but the Levies he ſhould make (in which he would "obſerve punctually the former, and all other cautions, as might beſt prevent all "Fears and Jealouſies; and to uſe no Power but what was Legal) would be ſo "much to the ſatisfaction of his Subjects, as no perſon would dare preſume to "reſiſt his Commands; and if they ſhould, at their Peril be it. In the mean "time, he hoped his forwardneſs, ſo remarkable to that Service, ſhould be no- "torious to all the world; and that all ſcandals, laid on him in that buſineſs, "ſhould be clearly wiped away.

"He told them, he had been ſo careful that his Journey into *Ireland* ſhould "not interrupt the proceedings of Parliament, nor deprive his Subjects of any "Acts of Juſtice, or further Acts of Grace for the real benefit of his People, "that he had made a free offer of leaving ſuch power behind, as ſhould not only "be neceſſary for the Peace and Safety of the Kingdom, but fully provide for "the happy progreſs of the Parliament: and therefore he could not but wonder, "ſince ſuch power had been always left here, by Commiſſion, for the Govern- "ment of this Kingdom, when his Progenitors had been out of the ſame, du- "ring the ſitting of Parliaments; and ſince Themſelves deſired that ſuch a power "might be left here by his Majeſty, at his laſt going into *Scotland*; what Law "of the Land they had now found to diſpence with them from ſubmitting to "ſuch Authority, legally derived from him, in his abſence; and to enable them "to govern the Kingdom by their Own meer Authority.

"For his return to *London*, he ſaid, he had given them ſo full Anſwers in "his late Declaration, and Anſwers that he knew not what to add to, if they "would not provide for his ſecurity with them, nor agree to remove to ano- "ther place, where there might not be the ſame danger to his Majeſty. He "told them, he expected, that (ſince he had been ſo particular in the cauſes and "grounds of his Fears) they ſhould have ſent him word, that they had publiſh- "ed ſuch Declarations againſt future Tumults and unlawful Aſſemblies, and ta- "ken ſuch Courſes for the ſuppreſſing ſeditious Pamphlets and Sermons, that his "Fears of that kind might be laid aſide, before they ſhould preſs his return.

"To conclude, he told them, he could wiſh, that they would, with the ſame "ſtrictneſs and ſeverity, weigh and examin their Meſſages and Expreſſions To "him, as they did thoſe they received From him. For he was very confident, that "if they examined his Rights and Priviledges, by what his Predeceſſors had en- "joyed; and their own Addreſſes, by the uſual courſes obſerved by Their An- "ceſtors; they would find many expreſſions in that Petition, warranted only by "their own Authority; which indeed he forbore to take notice of, or to give "Anſwer to, leaſt he ſhould be tempted, in a juſt indignation, to expreſs a "greater paſſion, than he was Yet willing to put on. God in his good time, he "hoped, would ſo inform the hearts of all his Subjects, that he ſhould recover

" from the miſchief, and danger of that diſtemper; on whoſe good pleaſure, he " ſaid, he would wait with all patience and humility.

From this time the purpoſe was never reſumed of his Majeſty's perſonal expedition into *Ireland*, and ſo They were freed from That apprehenſion. The truth is, that Counſel for his Majeſty's Journey into *Ireland* was very ſuddenly taken, and communicated to very few, without conſideration of the objections, that would naturally ariſe againſt it; and was rather reſolved as a probable Stratagem, to compoſe the two Houſes to a better temper and ſobriety, upon the Apprehenſion of the King's abſence from them, and the inconveniencies that might thence enſue, than ſufficiently conſider'd, and digeſted for Execution. For none were more violent againſt it, than they who ſerved the King moſt faithfully in the Houſes; who, in the King's abſence, and after ſuch a Grant of the Militia, as was then offer'd, look'd upon themſelves as ſacrificed to the pride and fury of thoſe, whoſe inclinations, and temper had begot the Confuſions they complained of. But if it had been ſo duly weighed and conſulted, and Men ſo diſpoſed, that it might have been Executed, and the King had taken a fit Council, and Retinue about him, it would, at that time, have been no hard matter ſpeedily to have reduced *Ireland*; and by the reputation, and authority of That, the other two Kingdoms might have been contained within their proper bounds. But, as it fell out, the Overture proved Diſadvantageous to the King; and gave the other Party New cauſe of Triumph, that they had plainly Threaten'd him out of what He pretended to have firmly reſolved to do; which diſadvantage was improved by the other Propoſition, that attended it, concerning the Militia. For the Bill, ſent by the King upon that Argument, brought the buſineſs again into Debate; and, tho' nothing was concluded upon it, the King was a loſer by the Propoſition, tho' not ſo much as he fear'd he ſhould have been, when he ſaw his Journey into *Ireland* deſperate; upon the ſuppoſition of which, he had only made that tender.

The Bill ſent by the King, and preferred to the Houſe of Peers, by the Atturney General, granted the Militia, for one year, to the perſons firſt nominated by the Houſes in their Ordinances to his Majeſty; and made thoſe perſons, in the Execution of that Truſt, ſubject to the Authority of his Majeſty, and the two Houſes Jointly, whilſt his Majeſty was within the Kingdom; and, in his abſence, of the two Houſes only. What alterations, and amendments they made in it, before they returned it again for the Royal Aſſent, will beſt appear by the King's Anſwer, which he ſent to them at the time of his refuſal to paſs it; which was,

His Majeſty's Meſſage to both Houſes Apr. 28, 1642. *concerning his refuſal to paſs the Bill for the Militia.*

" That he had, with great deliberation and patience, weighed and conſidered " (as it concerned him much to weigh the conſequences of every Law before he " paſſed it) their Bill lately ſent to him for the ſettling the Militia; and tho' it " had not been uſual to give any reaſon for the refuſal to paſs any Bill, it being " abſolutely in his power to paſs, or not to paſs any Act ſent to him, if he con- " ceived it prejudicial to himſelf, or inconvenient to his Subjects, for whom he " was truſted, and muſt one day give an account; yet, in that buſineſs of the " Militia, which, being miſunderſtood amongſt his good Subjects, had been uſed " as an Argument, as if he were not Vigilant enough for the publick ſafety, and " leaſt he ſhould be thought leſs Conſtant in his reſolutions, and that Bill to be " the ſame he had ſent to them, he thought fit to give them, and all the world " particular ſatisfaction, why he could not, Ought not, Muſt not paſs That " Bill, being the firſt publick Bill he had refuſed this Parliament: and there- " fore, he told them, he muſt complain, that having expreſſed himſelf ſo clearly, " and particularly to them in that point, they ſhould preſs any thing upon him, " which they could not but foreſee he muſt refuſe; except he departed from " thoſe reſolutions, grounded upon ſo much reaſon, he had ſo earneſtly before " acquainted them with, and againſt which they had not given one Argument " to ſatisfy his judgment.

" He told them, he was pleaſed, they had declined the Unwarrantable courſe " of their Ordinance (to the which, he was confident, his good Subjects would " never have yielded their conſent) and choſen that only right way of impoſing " upon the People, which he would have allowed but for the reaſons follow- " ing:

" He

" He ſaid, he had refuſed to conſent to their Ordinance, as for other things, " ſo for that the power was put into the perſons Nominated therein by di- " rection of both Houſes of Parliament, excluding his Majeſty from any power " in the diſpoſition, or execution of it together with them: He had then ad- " viſed them, for many reaſons, that a Bill ſhould be prepared; and after in his " Anſwer of the 26th of *March* to the Petition of both Houſes, he had told " them, if ſuch a Bill ſhould be prepared with that due regard to his Majeſty, and " care of his People, in the limitation of the power, and other circumſtances, " he ſhould recede from nothing he formerly expreſſed.

" What paſſed (enough to have diſcouraged him from being further Sollicitous " in that Argument) after his full, and gracious Anſwers, he was content to " forget. When he reſolved on his Journey into *Ireland*, ſo that by reaſon of his " abſence, there might be no want of ſettling that power; beſides complying " with their fears; he ſent, together with a Meſſage of that his purpoſe, a Bill " for ſettling the power for a year; hoping in that time to return to them, and " being ſure that, in much leſs time, they might do the buſineſs, for which at " firſt they ſeem'd to deſire this; which was, that they might ſecurely conſider " his Meſſage of the 20th of *January* laſt. By that Bill, which he ſent, he " conſented to thoſe Names they propoſed to their Ordinance, and in the li- " mitation of the power; provided, that himſelf ſhould not be able to execute " any thing but by their advice; and, when he ſhould be out of the Kingdom, " the Sole execution to be in them; with many other things, of ſo Arbitrary, and " Uncircumſcribed a power, that he ſhould not have conſented to, but with re- " ference to the Abſence of his own Perſon out of the Kingdom; and thought " it the more ſufferable, in reſpect the time was but for a year. Whether that " Bill, they had ſent to him to paſs, were the ſame, the world would judge.

" He ſaid, they had, by that Bill tender'd to his Majeſty, without taking " notice of him, put the Power of the whole Kingdom, the Life and Liberties " of the Subjects of all degrees and qualities, into the hands of Particular Men, " for two years: He asked them, if they could imagin he would truſt ſuch an " Abſolute power in the hands of Particular Perſons, which he had refuſed to " commit to both Houſes of Parliament? Nay, if the Power it ſelf were not too " Abſolute, too Unlimited to be committed into any Private hands? Whether " Sir *John Hotham*'s high inſolence ſhewed him not, what he might expect from " an Exorbitant legal power, when he, by a power not warrantable by Law, " durſt venture upon a Treaſonable diſobedience? But his Majeſty would wil- " lingly know, and indeed ſuch an account in ordinary civility, he ſaid, he " might have expected, why he was, by that Act, abſolutely Excluded, from " any Power, or Authority in the Execution of the Militia. He ſaid, ſure their " Fears and Jealouſies were not of ſuch a Nature, as were capable of no other " remedy, than by leaving him No power in a point of the greateſt importance; " in which God, and the Law, had truſted him Solely, and which he had been " contented to Share with them by his own Bill, by putting It, and a Greater, " into the hands of particular Subjects. He asked them, what all Chriſtian " Princes would think of him, after he had paſſed ſuch a Bill? How they " would value his Soveraignty? And yet, he ſaid, ſure His Reputation with " Forreign Princes was ſome ground of Their Security. Nay, he was confi- " dent, by that time they had throughly conſider'd the poſſible conſequence of " of that Bill, upon Themſelves, and the reſt of his good Subjects, they would " All give him Thanks for Not conſenting to it; finding their condition, if it " ſhould have paſſed, would not have been ſo pleaſing to them. He told them, " he hoped that Animadverſion would be no breach of their Priviledges. In " that throng of buſineſs and diſtemper of affections, it was poſſible, Second " thoughts might preſent ſomewhat to their conſiderations, which eſcaped them " before.

" He remember'd them, that he had paſſed a Bill, this Parliament, at their " entreaty, concerning the captives of *Algiers*, and waved many objections of " his own to the contrary, upon information that the buſineſs had been many " Months conſider'd by them; whether it proved ſuitable to their intentions, " or whether they had not, by ſome private Orders, ſuſpended that Act of Par- " liament upon view of the miſtakes, themſelves beſt knew; as likewiſe, what " other great Alterations they had made upon other Bills, paſſed this Seſſion.

" He told them, he could not paſs over the putting Their Names out of that " Bill, whom before they had recommended to him in their Ordinance, not " thinking fit, it ſeem'd, to truſt thoſe, who would obey no Guide but the Law " of the Land (he Imagined they would not wiſh he ſhould in his eſtimation of " others follow that their Rule) and the leaving out, by ſpecial proviſion, the " the preſent Lord Mayor of *London*, as a perſon in their diſfavour; whereas, " he ſaid, he muſt tell them, his demeanour had been ſuch, that the City, and " the whole Kingdom, was beholding to him for his example.

" To conclude, he ſaid, he did not find himſelf poſſeſſed of ſuch an Exceſs of " power, that it was fit to transfer, or conſent it ſhould be in other Perſons, as " was directed by that Bill; and therefore, he ſhould rely upon that Royal right " and juriſdiction, which God, and the Law had given him, for the ſuppreſſing " of Rebellion, and reſiſting Forreign Invaſion; which had preſerved the " Kingdom in the time of all his Anceſtors, and which, he doubted not, but " he ſhould be able to execute. And, not more for his own honour and right, " than for the liberty and ſafety of his People, he could not conſent to paſs that " Bill.

Tho' no ſober man could deny the reaſonableneſs of that Anſwer, and that there was indeed ſo great a difference between the Bill ſent by his Majeſty, and that preſented to him from the two Houſes, that it could not ſoberly be imagined he would conſent to it; yet, it had been better for his Majeſty, that the firſt Overture from himſelf had never been made; it giving New life, ſpirit, and hopes to them; and they making the People believe (who underſtood not the difference, and knew not that the King's pleaſure, ſignify'd by both Houſes of Parliament, was in effect the pleaſure of both Houſes without the King) that his Majeſty now refuſed to conſent to what himſelf had offer'd, and propoſed; whilſt his own Party (for ſo thoſe begun now to be called, who preſerved their Duty and Allegiance entire) was as much troubled to find ſo ſoveraign a power of the Crown offer'd to be parted with to the two Houſes, as was tender'd to them by the King's own Bill; and that it was poſſible for his Majeſty to recede from his firmeſt Reſolves, even in a point, that would not naturally admit of the leaſt diviſion, or diminution.

The King, being well pleaſed that he had gone through one of his reſolutions, and not much troubled at the anger it had produced, and finding his Court full of Perſons of Quality of the Country, who made all expreſſions of affection and duty, which they thought would be moſt acceptable to him, reſolved to undertake an other enterpriſe, which was of more importance, and which in truth was the ſole motive of his Journey into thoſe parts. The great Magazine of Arms and Ammunition, which was left upon the disbanding the Army, remained ſtill at *Hull*, and was a nobler proportion than remained in the Tower of *London*, or all other his Majeſty's Stores; and there had been formerly a purpoſe to have ſecured the ſame by the Earl of *Newcaſtle*'s preſence there, which had been diſappointed, as hath been before mentioned, and Sir *John Hotham* ſent thither to look to it; who was now there only with One of the Companies of the Train'd-bands; and ſo the King reſolved that he would Himſelf make a Journey thither, with his own Uſual Train; and being there, that he would ſtay there, till he had ſecured the place to him. This was his purpoſe; which he concealed to that degree, that very few about him knew any thing of it.

Aſſoon as it was known that his Majeſty meant to reſide in *York*, it was eaſily ſuſpected, that he had an eye upon That Magazine; and therefore they made an Order in both Houſes, " that the Magazine ſhould be removed from *Hull* to the " Tower; and Ships were making ready for the Tranſportation; ſo that his Majeſty could no longer defer the Execution of what he deſigned. And, being perſwaded, by ſome who believed themſelves, that if he went thither, it would neither be in Sir *John Hotham*'s Will, nor his Power, to keep him out of that Town; and that, being poſſeſſed of ſo conſiderable a Poſt, and of the Magazine there, he ſhould find a better temper towards a Modeſt, and Dutiful Treaty; his Majeſty took the opportunity of a Petition preſented to him by the Gentlemen of *York-ſhire* (who in truth were much troubled at the Order for removing the Magazine from *Hull*; and were ready to appear in any thing for his Service) in which, " they deſired him to caſt his eye, and thoughts upon " the ſafety of his own Perſon, and his Princely Iſſue, and that whole County;

" a great means whereof, they ſaid, did conſiſt in the Arms, and Ammunition " at *Huli*, placed there by his Princely care and charge; and ſince, upon gene- " ral apprehenſions of dangers from forreign parts, thought fit to be continued: " and they did very earneſtly beſeech him, that he would take ſuch courſe, " that it might ſtill remain there, for the better ſecuring thoſe, and the reſt of " the Northern parts. Hereupon, he reſolved to go thither himſelf; and, the night before, he ſent his Son the Duke of *York*, who was lately arrived from *Richmond*, accompanied with the Prince Elector, thither, with ſome other Perſons of Honour; who knew no more, than that it was a Journey given to the pleaſure, and curioſity of the Duke. Sir *John Hotham* received them with that duty, and civility that became him. The next morning early, the King took Horſe from *York*; and, attended with two or three hundred of his Servants, and Gentlemen of the Country, rode thither; and, when he came within a Mile of the Town, ſent a Gentleman to Sir *John Hotham*, " to let him know " that the King would that day dine with him; with which he was ſtrangely ſurpriſed, or Seem'd to be ſo.

The man was of a fearful nature, and perplexed underſtanding, and could better reſolve upon deliberation than on a ſuddain; and many were of opinion, that if he had been prepared dextrouſly before hand, and in confidence, he would have conformed to the King's pleaſure; for he was maſter of a Noble fortune in Land, and rich in Money; of a very ancient Family, and well Allied; his Affections to the Government very good; and no man leſs deſired to ſee the Nation involved in a Civil War, than He: and, when he accepted this imployment from the Parliament, he never imagined it would engage him in Rebellion; but believed, that the King would find it neceſſary to comply with the Advice of his two Houſes; and that the preſerving that Magazine from being poſſeſſed by him, would likewiſe prevent any poſſible rupture into Arms. He was now in great confuſion; and calling ſome of the chief Magiſtrates, and other Officers together to conſult, they perſwaded him, not to ſuffer the King to enter into the Town. And his Majeſty coming within an hour after his Meſſenger found the Gates ſhut, and the Bridges drawn, and the Walls mann'd; all things being in a readineſs for the reception of an Enemy. Sir *John Hotham* himſelf from the Walls, with ſeveral profeſſions of Duty, and many expreſſions of Fear, telling his Majeſty " that he durſt not open the Gates, being truſted " by the Parliament; the King told him, " that he believed he had no Order " from the Parliament to ſhut the Gates againſt him, or to keep him out of the " Town. He replied, " that his train was ſo great, that if it were admitted, " he ſhould not be able to give a good account of the Town. Whereupon the King offer'd " to enter with twenty Horſe only, and that the reſt ſhould ſtay " without. The which the Other refuſing, the King deſired him " to come to " him, that he might confer with him, upon his Princely word of ſafety, and " liberty to return. And when he excuſed himſelf likewiſe from That, his Majeſty told him, " that as this Act of his was unparallel'd, ſo it would produce " ſome notable Effect; that it was not poſſible for him to ſit down by ſuch an " Indignity, but that he would immediately Proclaim him Traitor, and pro- " ceed againſt him as ſuch; that this diſobedience of his would probably bring " many miſeries upon the Kingdom, and much loſs of Blood; all which might " be prevented, if he performed the duty of a Subject; and therefore adviſed " him to think ſadly of it, and to prevent the neceſſary growth of ſo many " Calamities, which muſt lie all upon His Conſcience. The Gentleman, with much diſtraction in his looks, talked confuſedly of the " Truſt he had from the " Parliament; then fell on his knees, and wiſhed, " that God would bring " Confuſion upon Him, and His, if he were not a Loyal and Faithful Subject " to his Majeſty; but, in concluſion, plainly denied to ſuffer his Majeſty to come " into the Town. Whereupon, the King cauſed him immediately to be proclaim'd a Traitor; which the Other received with ſome expreſſions of Undutifulneſs and Contempt. And ſo the King, after the Duke of *York*, and the Prince Elector, with their Retinue, were come out of the Town, where they were kept ſome hours, was forced to retire that night to *Beverly*, four miles from that place; and the next day returned to *York*, full of Trouble, and Indignation for the Affront he had received; which he foreſaw would produce a very great deal of Miſchief.

The King's Meſſage to the two Houſes concerning Hull.

The King ſent an Expreſs to the two Houſes with a Meſſage, declaring what had paſſed; and "that Sir *John Hotham* had juſtify'd his Treaſon and Diſ- "loyalty, by pretence of an Order and Truſt from Them; which as He could "not Produce, ſo, his Majeſty was confident, They would not Own; but would "be highly ſenſible of the Scandal he had laid upon Them, as well as of his "Diſloyalty to his Majeſty. And therefore, he demanded Juſtice of them a- "gainſt him, according to Law. The Houſes had heard before of the King's going out of *York* thither, and were in terrible apprehenſion that he had poſ- ſeſſed himſelf of the Town; and that Sir *John Hotham* (for they were not con- fident of him, as of a man of their own faith) by Promiſes or Menaces, had given up the Place to him; and, with this apprehenſion, they were exceedingly Dejected; but when they heard the truth, and found that *Hull* was ſtill in their hands, they were equally Exalted, magnifying their truſty Governor's faith, and fidelity Againſt the King. In the mean time, the Gentlemen of the North expreſſed a marvellous ſenſe and paſſion on his Majeſty's behalf; and offer'd to raiſe the Force of the County to take the Town by force. But the King choſe, for many Reaſons, to ſend again to the Houſes another Meſſage, in which he told them,

His Majeſty's ſecond Meſſage to the two Houſes concerning Hull.

"That He was ſo much concerned in the undutiful Affront (an Indignity all "his good Subjects muſt diſdain in his behalf) he had received from Sir *John* "*Hotham* at *Hull*, that he was impatient till he received Juſtice from them; "and was compelled to call again for an Anſwer, being confident, however they "had been ſo careful, tho' without his conſent, to put a Garriſon into that his "Town, to ſecure it, and his Magazine againſt any Attempt of the Papiſts, "that they never intended to diſpoſe, and maintain it againſt Him, their Sove- "raign. Therefore, he required them forthwith (for the buſineſs would ad- "mit no delay) to take ſome Speedy courſe, that his ſaid Town and Magazine "might be immediately delivered up unto him; and that ſuch ſevere exemplary "proceedings ſhould be againſt thoſe Perſons, who had offer'd that inſupport- "able Affront and Injury to him, as by the Law was provided: and, till that "ſhould be done, he would Intend no buſineſs whatſoever, other than the bu- "ſineſs of *Ireland*. For, he ſaid, if he were brought into a condition ſo much "worſe than any of his Subjects, that, whilſt They all enjoyed their Priviledges, "and might not have their Poſſeſſions diſturbed, or their Titles queſtioned, He "only might be ſpoiled, thrown out of his Towns, and his Goods taken from "him, it was time to examin how he had loſt thoſe Priviledges; and to try all "poſſible ways, by the help of God, the Law of the Land, and the Affection "of his good Subjects to recover them, and to vindicate himſelf from thoſe In- "juries; and, if he ſhould miſcarry therein, he ſhould be the firſt Prince of this "Kingdom which had done ſo, having no other end but to defend the true Pro- "teſtant Religion, the Law of the Land, and the Liberty of the Subject; and "he deſired God ſo to deal with him, as he continued in thoſe Reſolutions.

Inſtead of any Anſwer to his Majeſty upon theſe two Meſſages, or ſadly conſi- dering how this breach might be made up, they immediately publiſh (together with a Declaration of their former jealouſies of the Papiſts; of the Malignant Party; of the Lord *Digby*'s Letter intercepted; of the Earl of *Newcaſtle*'s being ſent thither, upon which they had firſt ſent down a Governour, and put a Gar- riſon into *Hull*) ſeveral Votes and Reſolutions, by which they Declared,

"That Sir *John Hotham* had done nothing but in obedience to the Command "of both Houſes of Parliament, and that the Declaring of him a Traitor, be- "ing a Member of the Houſe of Commons, was a high breach of the Priviledge "of Parliament, and being without due proceſs of Law, was againſt the Li- "berty of the Subject, and againſt the Law of the Land.

And hearing at the ſame time, that a Letter coming from *Hull* to them the night after the King's being there, had been intercepted by ſome of his Maje- ſty's Servants, they declared "that all ſuch intercepting of any Letters ſent to "Them, was a high breach of the Priviledge of Parliament, which by the Laws "of the Kingdom, and the Proteſtation, they were bound to defend with their "Lives, and their Fortunes, and to bring the Violator thereof to condign Pu- "niſhment. Then they order'd, that the Sheriffs, and Juſtices of the Peace in the Counties of *York*, and *Lincoln*, and all others his Majeſty's Officers, ſhould ſuppreſs all Forces, that ſhould be raiſed or gathered together in thoſe Counties, either

either to force the Town of *Hull*, or ſtop the Paſſages to, or from the ſame, or in any other way to diſturb the Peace of the Kingdom. All which Votes, Orders, and Declarations being printed, and diligently diſperſed throughout the Kingdom before any Addreſs made to his Majeſty in Anſwer of his Meſſages, and coming to his View, the King publiſhed an Anſwer to thoſe Votes and Declarations, in which he ſaid:

His Majeſty's Anſwer to the Declaration, and Votes concerning Hull.

"Since his gracious Meſſages to both Houſes of Parliament, demanding Ju- "ſtice for the high and unheard of Affront offer'd unto him, at the Gates of *Hull*, "by Sir *John Hotham*, was not thought worthy of an Anſwer; but that in- "ſtead thereof, they had thought fit, by their printed Votes, to own and avow "that unparralel'd Act to be done in obedience to the Command of both Houſes "of Parliament (tho' at that time he could produce no ſuch Command) and, "with other Reſolutions againſt his proceedings there, to publiſh a Declaration "concerning that buſineſs, as an Appeal to the People, and as if their inter- "courſe with his Majeſty, and for his ſatisfaction, were now to no more pur- "poſe; tho' he knew that Courſe of theirs to be very unſuitable to the modeſty, "and duty of Former times, and unwarrantable by any Precedents, but what "Themſelves had made; yet, he was not unwilling to joyn iſſue with them in "That way, and to let all the world know, how neceſſary, juſt, and Lawful "all his proceedings, had been in that point, and that the Defence of thoſe "proceedings was the Defence of the Law of the Land, of the Liberty, and "Property of the Subject; and that by the ſame Rule of Juſtice which was "now offer'd to him, all the Private intereſt, and Title of all his good Subjects "to all their Lands and Goods, was confounded and deſtroyed. He remem- "ber'd them, that Mr. *Pym* had ſaid in his Speech againſt the Earl of *Strafford* "(which was publiſhed by Order of the Common's Houſe) The Law is the ſafe- "guard, the Cuſtody of all private Intereſts, your Honours, your Lives, your "Liberties, and Eſtates are all in the keeping of the Law; without this every "Man hath a like Right to any thing. And he ſaid, he would fain be Anſwer'd "what Title any Subject of his Kingdom had to his Houſe and Land, that he "had not to his Town of *Hull*? Or what right any Subject had to his Money, "Plate, or Jewels, that his Majeſty had not to his Magazine, and Munition "there? If he had ever ſuch a Title, he ſaid he would know, when he Loſt it? "And if that Magazine and Munition, bought with his own Money, were ever "His, when and how that Property went out of him? He very well knew, the "great and unlimited power of a Parliament; but he knew as well, that it was "only in that ſenſe, as He was a Part of that Parliament; without Him, and "againſt His Conſent, the Votes of either or both Houſes together, muſt not, "could not, ſhould not (if he could help it, for his Subjects ſake, as well as his "own) forbid any thing that was enjoyn'd by the Law, or enjoyn any thing "that was forbidden by the Law. But in any ſuch alteration, which might be "for the Peace, and happineſs of the Kingdom, he had not, ſhould not refuſe, "to conſent. And he doubted not, but that all his good Subjects would eaſily "diſcern, in what a miſerable Inſecurity and Confuſion, they muſt neceſſarily "and inevitably be, if Deſcents might be alter'd; Purchaſes avoided; Aſſu- "rances and Conveyances cancelled; the Soveraign Legal Authority deſpiſed, "and reſiſted by Votes, or Orders of Either, or both Houſes. And this, he "ſaid, he was ſure, was his Caſe at *Hull*; and as it was His this day, by the "ſame Rule, it might be Theirs to Morrow.

"Againſt any deſperate Deſign of the Papiſts, of which they had diſcourſed "ſo much, he had ſufficiently expreſſed his Zeal, and Intentions; and ſhould "be as forward to adventure his own Life, and Fortune, to oppoſe any ſuch de- "ſigns as the meaneſt Subject in his Kingdoms.

"For the Malignant Party, he ſaid, as the Law had not, to his knowledge, "defined their condition, ſo Neither Houſe had Preſented them to his Majeſty, "under ſuch a Notion, as he might well underſtand, Whom they intended; "and he ſhould therefore only enquire after, and avoid the Malignant Party, "under the Character of perſons diſaffected to the Peace, and Government of "the Kingdom, and ſuch who, neglecting and deſpiſing the Law of the Land, "had given themſelves other Rules to walk by, and ſo diſpenced with their O- "bedience to Authority; of Thoſe perſons as Deſtructive to the Common- "wealth, he ſhould take all poſſible caution.

"Why any Letters intercepted from the Lord *Digby*, wherein He mentioned "a retreat to a place of Safety, ſhould hinder him from viſiting his own Forr, "and how he had oppoſed any ways of Accommodation with his Parliament, "and what Ways, and Overtures had been offer'd in any way, or like any deſire "of ſuch Accomodation; or whether his Meſſage of the twentieth of *Janu-* "*ary* laſt, ſo often in vain preſſed by him, had not ſufficiently expreſſed his ear- "neſt deſire of it, he ſaid, all the world ſhould judge; neither was it in the "power of any Perſons to incline him to take Arms againſt his Parliament, "and his good Subjects, and miſerably to embroil the Kingdom in Civil Wars. "He had given ſufficient Evidence to the world, how much his Affections abhor- "red, and how much his Heart did bleed at, the apprehenſion of a Civil War. "And, he ſaid, God and the World muſt judge, if his Care and Induſtry were "not, only to defend and protect the Liberty of the Subject, the Law of the "Kingdom, his own juſt Rights (part of that Law) and his Honour much more "precious than his Life, and if, in oppoſition to theſe, any Civil War ſhould "ariſe, upon Whoſe Account the Blood, and Deſtruction that muſt follow, "muſt be caſt: God, and his own Conſcience, told him, that He was clear.

"For Captain *Leg*'s being ſent heretofore to *Hull*, or for the Earl of *New-* "*caſtle*'s being ſent thither by his Warrant and Authority, he ſaid, he had as- "ked a Queſtion long ago, in his Anſwer to both Houſes concerning the Maga- "zine at *Hull*, which, he had cauſe to think, was not eaſy to be Anſwer'd; "Why the general Rumour of the deſign of Papiſts, in the Northern Parts, "ſhould not be thought ſufficient ground for his Majeſty to put ſuch a Perſon "of Honour, Fortune, and unblemiſhed Reputation, as the Earl of *Newcaſtle* "was known to be, into a Town and Fort of his own, where his own Magazine "lay; and yet the ſame Rumour be warrant enough to commit the ſame Town "and Fort, without his conſent, to the hands of Sir *John Hotham*, with ſuch "a power as was now too well known, and underſtood? How his Refuſal to "have that Magazine removed, upon the Petition of both Houſes, could give "any advantage againſt him, to have it taken from him, and whether it was a "Refuſal, all Men would eaſily underſtand, who read his Anſwer to that Peti- "tion; to which, it had not been yet thought fit, to make any Reply.

"For the Condition of thoſe Perſons, who preſented the Petition to him at "*York* (whom that Declaration called, ſome Few ill affected Perſons about the "City of *York*) to continue the Magazine at *Hull*; he ſaid, he made no doubt, "but that Petition would appear to be atteſted, both in Number, and Weight, "by Perſons of Honour and Integrity, and much more converſant with the "Affections of the whole Country, than moſt of thoſe Petitions, which had "been received with ſo much Conſent, and Approbation. And for the Pre- "ſumption of interpoſing Their advice, his Majeſty the more wonder'd at that "exception, when ſuch encouragement had been given, and thanks declared to "Multitudes of mean, unknown People, Apprentices, and Porters, who had "accompanied Petitions of very ſtrange Natures.

"For the manner of his going to *Hull*, he ſaid, he had clearly ſet forth the "ſame, in his Meſſage to both Houſes of that buſineſs; and for any Intelligence "given to Sir *John Hotham* of an intention to deprive him of his Life, as he "knew there was no ſuch intention in him, having given him all poſſible Aſſu- "rance of the ſame, at his being there, ſo he was confident, no ſuch Intelli- "gence was given, or if it were, it was by ſome Villain, who had nothing but "Malice, or Deſign to fright him from his due Obedience; and Sir *John Hotham* "had all the reaſon to aſſure himſelf, that his Life would be in much more dan- "ger by refuſing to admit his King into his own Town and Fort, than by yield- "ing him that obedience, which he owed by his Oaths of Allegience and Su- "premacy, and the Proteſtation, which he knew was due and warrantable, by "the Laws of the Land. For the Number of his Attendants, tho' that could be "no Warrant for ſuch a diſobedience in a Subject, he ſaid, it was well known "(as his Majeſty had expreſſed in his Meſſage to both Houſes, to which credit "ought to have been given) that he offer'd to go into the Town with twenty "Horſe only, his whole Train being Unarmed; and whoſoever thought that "too great an Attendance for his Majeſty, and his two Sons, had ſure an In- "tention to bring him to a meaner Retinue, than they would yet avow.

Here

" Here then, he ſaid, was his Caſe, of which all the world ſhould judge: " his Majeſty endeavoured to viſit a Town, and Fort of his own, wherein his " own Magazine lay; a Subject, in defiance of him, ſhuts the Gates againſt him; " with Armed Men reſiſts, denies, and oppoſes his entrance; tells him, in plain " terms, he ſhould not come in. He ſaid, he did not pretend to underſtand much " Law, yet, in the point of Treaſon, he had much learning taught him this " Parliament; and if the ſenſe of the Statute of the 25th Year of *Edward* the " III. *Ch.* 2. were not very differing from the Letter, Sir *John Hotham*'s Act " was no leſs than plain High-Treaſon: and he had been contemptibly ſtupid, " if he had after all thoſe circumſtances of Grace and Favour then ſhew'd to him, " made any ſcruple to proclaim him Traitor. And whether he were ſo, or no, " if he would render himſelf, his Majeſty would require no other Trial, than " that which the Law had appointed to every Subject, and which he was confi- " dent he had not, in the leaſt degree, violated in thoſe proceedings; no more " than he had done the Priviledge of Parliament, by endeavouring, in a juſt " way, to challenge his Own unqueſtionable Priviledges. So that, in ſuch a " caſe, the declaring him Traitor, being a Member of the Houſe of Commons, " without proceſs of Law, ſhould be a breach of Priviledge of Parliament (of " which he was ſure none extended to Treaſon, Felony, or breach of Peace) " againſt the Liberty of the Subject, or againſt the Law of the Land, he muſt " have Other reaſons than bare Votes. He ſaid, he would know if Sir *John* " *Hotham* had, with the Forces by which he kept him out of his Town of *Hull*, " purſued him to the Gates of *York*, which he might as legally have done, whe- " ther his Majeſty muſt have ſtayed from declaring him Traitor till Proceſs of " Law might have iſſued againſt him? Would Fears and Jealouſies diſpence with " neceſſary, and real Forms? And muſt his Majeſty, when actual War is levied " upon him, obſerve Forms which the Law it ſelf doth not enjoyn? The Caſe, " he ſaid, was truly ſtated, let all the world judge (unleſs the meer ſitting of " a Parliament did ſuſpend all Laws, and his Majeſty was the only Perſon in " *England* againſt whom Treaſon could not be committed) Where the fault " was; and whatſoever courſe he ſhould be driven to for the vindication of that " his Priviledge, and for the recovery and maintenance of his known, undoubted " Rights, he doth promiſe, in the preſence of Allmighty God, and as he hopes " for his bleſſing in his ſucceſs, that he would, to the utmoſt of his power, de- " fend and maintain the true Proteſtant profeſſion, the Law of the Land, the " Liberty of the Subject, and the juſt Priviledge, and Freedom of Parlia- " ment.

" For the Order of Aſſiſtance given to the Committees of both Houſes, con- " cerning their going to *Hull*, he ſaid, he ſhould ſay no more, but that thoſe " Perſons, named in that Order, he preſumed, would give No commands, or " his good Subjects obey Other, than what were warranted by the Law (how " large and unlimited ſoever the Directions are, or the Inſtructions might be) " for to that Rule he ſhould apply his own Actions, and by it, require an Ac- " count from other Men; and that all his good Subjects might the better know " their duty in matters of this Nature, he wiſhed them carefully to peruſe the " Statute of the 11th year of King *Henry* VII. *Ch.* 1. He ſaid, he would conclude " with Mr. *Pym*'s own words: If the Prerogative of the King overwhelm the " Liberty of the People, it will be turn'd to Tyranny; if Liberty undermine " the Prerogative, it would grow into Anarchy, and ſo into Confuſion.

Beſides their Declaration, Votes, and Orders in the juſtification of Sir *John Hotham* for his better Encouragement, and for a ground of his Sons reſidence at *Hull*, in whom they had in truth a firmer confidence than in the Father, they Order'd, " that if, by any Force or Accident, Sir *John Hotham* ſhould loſe his " life, or Otherwiſe die in that Service, that his Son ſhould ſucceed him in the " Government; and having thus declared themſelves, they thought fit at laſt to ſend ſome particular Anſwer to the King upon that buſineſs; which they were the rather inclined to do, that under that pretence, they might ſend down a Committee of their own to reſide at *York*; whereby they might receive conſtant animadverſions of what happen'd, and what was deſign'd, and their Friends, and Dependants in that large, populous, and rich County, be the better confirm'd in their Affections, and Devotions to them; and, to that purpoſe, they ſent down the Lord *Howard* of *Eſcrigg*, the Lord *Fairfax*, Sir *Hugh Cholmley* (a

faſt friend to Sir *John Hotham*) Sir *Philip Stapleton*, who had likewiſe married *Hotham*'s Daughter, and Sir *Harry Cholmley*, who preſented their Anſwer in Writing to his Majeſty; the which, being of a Mould unuſual, and a Dialect higher and rougher, than even themſelves had yet uſed, I have thought fit to inſert in the ſame words it was delivered; thus.

The moſt humble Anſwer of the Lords, and Commons in Parliament to two Meſſages from your ſacred Majeſty concerning Sir John Hotham's *refuſal to give your Majeſty entrance into the Town of* Hull.

The Anſwer of the Lords, and Commons to his Majeſty's two Meſſages concerning Hull.

" Your Majeſty may be pleaſed to underſtand, that We, your Great Council, " finding manifold evidences of the wicked Counſels, and Practices of ſome in " near Truſt, and Authority about you, to put the Kingdom into a Combuſtion, " by drawing your Majeſty into places of ſtrength, remote from your Parlia- " ment, and by exciting your People to Commotions, under pretence of ſerving " your Majeſty againſt your Parliament, leaſt this Malignant Party, by the ad- " vantage of the Town, and Magazine at *Hull*, ſhould be enabled to go through " with their miſchievous Intentions, did, in diſcharge of the great Truſt that " lies in us, command the Town of *Hull* to be ſecured by a Garriſon of the ad- " joyning Train'd-Bands, under the Government of Sir *John Hotham*; requiring " him to keep the ſame for the Service of your Majeſty and the Kingdom: " wherein we have done nothing contrary to your Royal Soveraignty in that " Town, or Legal Propriety in the Magazine.

" Upon conſideration of Sir *John Hotham*'s proceeding at your Majeſty's being " there, We have, upon very good ground, adjudged, that he could not diſ- " charge the Truſt, upon which, nor make good the End, for which he was " placed in the Guard of that Town and Magazine, if he had let in your Majeſty " with ſuch Counſellors, and Company as were then about you.

" Wherefore, upon full Reſolution of both Houſes, We have declared Sir " *John Hotham* to be clear of that odious crime of Treaſon; and have avowed, " that he hath therein done nothing but in obedience to the Command of both " Houſes of Parliament; aſſuring our ſelves that, upon mature deliberation, " your Majeſty will not interpret his obedience to ſuch Authority to be an Af- " front to your Majeſty, or to be of that nature, as to require any Juſtice to be " done upon him, or ſatisfaction to be made to your Majeſty: but that you will " ſee juſt cauſe of joyning with your Parliament, in preſerving and ſecuring the " Peace of the Kingdom; ſuppreſſing this wicked and Malignant Party; who, " by falſe colours, and pretenſions of maintaining your Majeſty's Prerogative " againſt the Parliament (wherein they fully agree with the Rebels in *Ireland*) " have been the cauſes of all our Diſtempers, and Dangers:

" For prevention whereof We know no better remedy, than ſettling the " Militia of the Kingdom, according to the Bill, which We have ſent your " Majeſty without any intention of deſerting, or declining the validity, or ob- " ſervance of that Ordinance, which paſt both Houſes, upon your Majeſty's for- " mer refuſal: but We ſtill hold, that Ordinance to be effectual by the Laws of " this Kingdom. And We ſhall be exceeding glad, if your Majeſty by approving " theſe our juſt, dutiful, and neceſſary proceedings, ſhall be pleas'd to entertain " ſuch Counſel, as We aſſure our ſelves, by God's bleſſing, will prove very ad- " vantageous for the Honour, and Greatneſs of your Majeſty; the Safety, and " Peace of your People; amongſt which, We know none more likely to pro- " duce ſuch good effects, than a Declaration from your Majeſty of your purpoſe " to lay aſide all thoughts of going into *Ireland*, and to make a ſpeedy return " into theſe parts, to be near your Parliament. Which as it is our moſt hum- " ble deſire, and earneſt Petition, ſo it ſhall be ſeconded with our moſt dutiful " care for the ſafety of your Royal Perſon, and conſtant Prayers, that it may " prove honourable, and ſucceſsful, in the happineſs of your Majeſty, and all " your Kingdoms.

To this Anſwer, with all formality delivered to his Majeſty by the Committee, the King returned a quick Reply:

His Majeſty's Reply.

" That he had been in good hope, that the reaſon, why they had ſo long de- " ferr'd their Anſwer to his Meſſages concerning *Hull*, had been, that they might " the better have given him ſatisfaction therein, which now added the more to his

"his Aſtoniſhment, finding their Anſwer, after ſo long adviſement, to be of "that nature, which could not but rather increaſe, than diminiſh the preſent "diſtractions, if conſtantly adhered to by the Parliament. He asked them, "whether it was not too much, that his Town of *Hull* had a Garriſon put into "it, to the great charge of the Country, and Inconvenience to the poor Inha- "bitants, without his conſent and approbation, under colour at That time of "Forreign Invaſion, and Apprehenſions of the Popiſh Party; but that Now the "reaſons thereof ſhould be Enlarged with a Scandal to his Majeſty, and his faith- "ful Servants, only to bring in the more ſpecious Pretext for the avowing Sir "*John Hotham*'s Inſolence, and Treaſon?

"He ſaid, he had often heard of the great Truſt, that, by the Law of God "and Man, was committed to the King for the defence, and ſafety of his Peo- "ple; but as yet he never underſtood, what Truſt or Power was committed "to Either, or Both Houſes of Parliament, without the King; They being "ſummon'd to Counſel, and Adviſe the King. But by what Law or Authority, "they poſſeſs themſelves of his Majeſty's Right and Inheritance, he was confi- "dent, that as they had not, ſo they could not ſhew, He told them, that he "had not hitherto given the leaſt Interruption to publick Juſtice; but They, "rather than ſuffer One of their Members, to come ſo much as to a legal "Trial for the higheſt crime, would make uſe of an Order of Parliament to "countenance Treaſon, by declaring him free from that guilt, which all former "Ages never accounted other; and that without ſo much as enquiring the "opinion of the Judges; for he was confident, they would have mentioned "their opinion, if They had asked it.

"Therefore he expected, that upon further, and better conſideration of the "great, and neceſſary conſequence of the buſineſs of *Hull*, and ſeriouſly weigh- "ing, how much it did concern the Peace, and Quiet of the Kingdom, They "would, without further inſtance from his Majeſty, give him full, and ſpeedy "Juſtice againſt Sir *John Hotham*. And, he ſaid, he would leave all his good Peo- "ple to think, what hope of Juſtice there was left for Them, when they Refuſed, "or Delayed to give their own Soveraign ſatisfaction. And, as he had already "ſaid, till that ſhould be done, he would intend no buſineſs whatſoever other "than that of *Ireland*.

"And he ſaid, he likewiſe expected that They would not put the Militia in "Execution, until they could ſhew him by what Law they had Authority to do "the ſame, without His conſent: or if they did, he was confident, that he "ſhould find much more obedience according to Law, than they would do againſt "Law. And he ſhould eſteem all thoſe, who ſhould obey them therein, to be "diſturbers of the Peace of the Kingdom; and would, in due Seaſon, call them "to a Legal account for the ſame.

"Concerning his return, he told them, he never heard that the ſlandering of "a King's Government, and his faithful Servants, the refuſing of him Juſtice, "and in a caſe of Treaſon, and the ſeeking to take away his undoubted and "Legal Authority, under the pretence of putting the Kingdom into a poſture of "Defence, were Arguments to induce a King to come near, or hearken to his "Parliament.

The King diſpatched this Anſwer the ſooner, that the Country might be freed from the Impreſſion, the Preſence and Activity of the Committee made in them; but when he deliver'd it to them, and required them to make all convenient haſt with it to the Houſes, they told him, "they would ſend it by an Expreſs, but "that Themſelves were required, and appointed ſtill to reſide at *York*. The King told them, "that he liked not ſuch Superviſors near him, and wiſhed them "to be very careful in their Carriage; that the Country was viſibly Then very "well affected; and if he found any declenſion, he well knew to Whom to im- "pute it; and ſhould be compelled to proceed in another manner againſt them, "than, with reference to their Perſons (for they were all then reputed Moderate Men, and had not been thought diſaffected to the Government of Church, or State) "he ſhould be willing to do. They anſwered with a ſullen confidence, "that they ſhould demean themſelves according to their Inſtructions; and would "perform the Truſt repoſed in them by the two Houſes of Parliament. Yet ſuch was the tickliſhneſs of the King's condition, that, tho' it was moſt Evident that their coming, and ſtaying there was to pervert, and corrupt the Loyalty and

Affections of thoſe parts, and to infuſe into them Inclinations contrary to their Allegiance, it was not thought Counſellable at that time, either to commit them to Priſon, or to expel them from that City, or to inhibit them the freedom of his own Court, and Preſence; and ſo they continued, for the ſpace of above a Month, in *York*, even in defiance of the King.

The Militia was the Argument, which They found made deepeſt impreſſion in the People, being totally ignorant what it was, or what the conſequence of it might be; and ſo believing whatſoever They told them concerning it. And therefore they reſolved to drive that Nail home; and tho', for want of their Imminent Danger, and during the time of the King's Treaty, and Overture of a Bill, they had forborn the execution of their Ordinance; yet the frequent Muſters of Volunteers without Order, almoſt in all Countries, by the bare Authority of their Votes, gave them ſufficient Evidence how open the People were to their Commands; at leaſt how unprepared Authority was to reſiſt, and oppoſe them: and therefore, after the King had diſplaced their two Favourites, and refuſed to paſs the Bill for the Militia, and Sir *John Hotham* had refuſed to let the King come into the Town of *Hull*, and They had Juſtify'd him for ſo doing, they prepared a Declaration concerning the whole State of the Militia, as the Reſolution of the Lords and Commons upon that matter; in which they ſaid,

The Declaration of the two Houſes about the Militia, May 5. 1642.

" That, holding it neceſſary for the Peace, and Safety of the Kingdom, to " ſettle the Militia thereof, they had, for that purpoſe, prepared an Ordinance " of Parliament, and with all humility had preſented the ſame to his Majeſty for " his Royal Aſſent. Who, notwithſtanding the faithful Advice of his Parlia- " ment, and the ſeveral Reaſons offer'd by them, of the neceſſity thereof for " the ſecuring of his Majeſty's Perſon, and the Peace and Safety of his People, " did refuſe to give his Conſent; and thereupon, they were neceſſitated, in diſ- " charge of the Truſt repoſed in Them, as the Repreſentative Body of the " Kingdom, to make an Ordinance, by the Authority of both Houſes, to ſet- " tle the Militia, warranted thereunto by the Fundamental Laws of the Land: " that his Majeſty, taking notice thereof, did, by ſeveral Meſſages, invite them " to ſettle the ſame by Act of Parliament; affirming in his Meſſage ſent in An- " ſwer to the Petition of both Houſes, preſented to his Majeſty at *York*, *March* " 26. that he always thought it neceſſary the ſame ſhould be ſettled, and that " he never denied the Thing, only denied the Way; and for the Matter of it, " took exception only to the preface, as a thing not ſtanding with his Honour " to conſent to; and that Himſelf was excluded in the Execution, and for a " time Unlimited: whereupon the Lords and Commons, being deſirous to give " his Majeſty all ſatisfaction that might be, even to the leaſt Title of Form and " Circumſtances, when his Majeſty had pleaſed to offer them a Bill ready drawn, " had, for no other cauſe, than to manifeſt their hearty Affection to comply " with his Majeſty's deſires, and obtain his conſent, entertain'd the ſame, in " the mean time no way declining their Ordinance; and to expreſs their ear- " neſt Zeal to correſpond with his Majeſty's deſires (in all things that might " conſiſt with the Peace, and Safety of the Kingdom, and the Truſt repoſed in " them) did paſs That Bill, and therein omitted the Preamble inſerted before " the Ordinance; limited the time to leſs than two years; and confined the Au- " thority of the Lieutenants to theſe three particulars, namely Rebellion, In- " ſurrection, and Forreign Invaſion; and returned the ſame to his Majeſty for " his Royal Aſſent: but all theſe expreſſions of Affection and Loyalty, all thoſe " deſires, and earneſt endeavours to comply with his Majeſty, had, to their " great grief and ſorrow, produced no better Effects than an abſolute denial, " even of that which his Majeſty by his former Meſſages, as they conceived, had " promiſed: the Advice of Evil and wicked Councils, receiving ſtill more Cre- " dit with him, than that of his Great Council of Parliament in a matter of ſo " high importance, that the ſafety of his Kingdom, and Peace of his People, " depended upon it.

" But now, what muſt be the exceptions to that Bill? Not any ſure that were " to the Ordinance; for a care had been taken to give ſatisfaction in all theſe " particulars. Then the Exception was, becauſe that the diſpoſing and execu- " tion thereof was referr'd to both Houſes of Parliament, and his Majeſty Ex- " cluded; and Now that, by the Bill, the Power and Execution was aſcer- " tain'd, and reduced to Particulars, and the Law of the Realm made the Rule " thereof,

" thereof, his Majeſty would not truſt the Perſons. The power was too Great, " too Unlimited, to truſt them with. But what was that Power? Was it any " other, but, in expreſs terms, to ſuppreſs Rebellion, Inſurrection, and Forreign " Invaſion? And who were thoſe Perſons? Were not they ſuch as were nomi- " nated by the Great Council of the Kingdom, and Aſſented to by his Majeſty? " And was it too Great a Power, to truſt Thoſe Perſons with the ſuppreſſion " of Rebellion, Inſurrection, and Forreign Invaſion? Surely, they ſaid, the " moſt wicked of them who adviſed his Majeſty to that Anſwer, could not ſug- " geſt, but that it was neceſſary for the ſafety of his Majeſty's Royal Perſon, and " the Peace of the Kingdom, ſuch a power ſhould be put in Some hands; and " there was no pretence for exception to the Perſons. They ſaid, his Majeſty " had, for the ſpace of above fifteen years together, not thought a power, far " exceeding That, to be too Great to intruſt particular Perſons with, to whoſe " Will the Lives, and Liberties of his People, by Martial Laws, were made Sub- " ject; for ſuch was the power given Lord Lieutenants, and Deputy Lieu- " tenants, in every County of this Kingdom, and that without the conſent of " the People, or Authority of Law. But now in caſe of Extreme Neceſſity, " upon the Advice of both Houſes of Parliament, for no longer ſpace than two " years, a Leſſer power, and that for the ſafety of King and People, was " thought too Great to truſt particular Perſons with, tho' named by both Hou- " ſes of Parliament, and approved by his Majeſty himſelf: and ſurely, if there " were a neceſſity to ſettle the Militia (which his Majeſty was pleaſed to con- " feſs) the Perſons could not be intruſted with Leſs Power than that, to have it " at all Effectual. And the Precedents of former Ages, when there happen'd a " Neceſſity to raiſe ſuch a Power, never ſtreighten'd that Power to a narrower " compaſs; witneſs the Commiſſions of Array in ſeveral King's Reigns, and of- " ten iſſued out by the Conſent, and Authority of Parliament.

" The Lords and Commons therefore, intruſted with the ſafety of the King- " dom, and peace of the People (which they called God to witneſs, was their " only aime) finding themſelves denied thoſe their ſo neceſſary and juſt Demands, " and that they could never be diſcharged before God or Man, if they ſhould " ſuffer the ſafety of the Kingdom, and peace of the People, to be expoſed to " the malice of the Malignant Party at home, or the Fury of Enemies abroad: " and knowing no other way to encounter the imminent, and approaching dan- " ger, but by putting the People into a fit poſture of defence, did Reſolve to put " their ſaid Ordinance in preſent execution; and did require all perſons in Au- " thority, by virtue of the ſaid Ordinance, forthwith to put the ſame in execu- " tion, and all others to obey it, according to the Fundamental Laws of the " Kingdom in ſuch caſes, as they tender'd the upholding of the True Proteſtant " Religion, the Safety of his Majeſty's Perſon, and his Royal Poſterity, the Peace " of the Kingdom, and the Being of this Common-wealth. This Declaration (being an Anſwer to a Meſſage from his Majeſty) was Printed, and, with the uſual care and dexterity, diſperſed throughout the Kingdom, without ſo much as ſending it to the King; and thereupon, Warrants and Directions iſſued into all parts, for the exerciſing the Militia.

This being the firſt Declaration they had in plain terms publiſhed againſt the King, without ever communicating it, or preſenting it to him, as they had done all the reſt, his Majeſty was the more troubled how to take notice of it; but conceiving it neceſſary to apply ſome Antidote to this Poiſon, the violent operation whereof he had reaſon to apprehend, he publiſhed a Declaration by way of Anſwer to that Declaration, in which he ſaid,

The King's Declaration in Anſwer to the foregoing Declaration.

" That he very well underſtood, how much it was below the High and Royal " Dignity (wherein God had placed him) to take notice of, much more to trou- " ble himſelf with Anſwering thoſe many ſcandalous, ſeditious pamphlets, and " Printed Papers, which were ſcatter'd, with ſuch great licence throughout the " Kingdom (notwithſtanding his Majeſty's earneſt deſire, ſo often in vain preſſed, " for a Reformation) tho' he found it evident, that the Minds of many of his " weak Subjects, had been, and ſtill were poyſon'd by thoſe means; and that ſo " general a terrour had poſſeſſed the minds and hearts of all men, that whilſt " the Preſſes ſwarm'd with, and every day produced, new Tracts againſt the " eſtabliſhed Government of the Church and State, moſt men wanted the Cou- " rage, or the Conſcience to write, or the opportunity and Encouragement to

" publiſh ſuch compoſed, ſober Animadverſions, as might either preſerve the " minds of his good Subjects from ſuch Infection, or reſtore and recover them, " when they were ſo infected: but, his Majeſty ſaid, he was contented to let " himſelf fall to any Office, that might undeceive his People, and to take more " pains that way by his Own Pen, than ever King had done, when he found " any thing that ſeem'd to carry the Reputation, and Authority of Either, or " Both Houſes of Parliament; and would not have the ſame refuted, and diſ- " puted by Vulgar and Common Pens, till he ſhould be throughly informed " whether thoſe Acts had in truth that Countenance and Warrant, they pre- " tend: which regard of his, his Majeſty doubted not, but, in time, would re- " cover that due Reverence (the abſence whereof he had too much reaſon to " complain of) to his Perſon and his Meſſages, which in all Ages had been paid, " and, no doubt, was due to the Crown of *England*.

" He ſaid, he had therefore taken notice of a Printed Paper, entituled a De- " claration of both Houſes, in Anſwer to his laſt Meſſage concerning the Mi- " litia, publiſhed by Command; the which he was unwilling to believe (both " for the matter of it, the expreſſions in it, and the manner of publiſhing it) " could reſult from the conſent of both Houſes; neither did his Majeſty know " by what Lawful command, ſuch Uncomely, Irreverent mention of Him could " be publiſhed to the world: And, tho' Declarations of that kind had of late, " with too much boldneſs, broken in upon his Majeſty, and the whole Kingdom, " when one, or both Houſes had thought fit to communicate their Counſels, " and Reſolutions to the People; yet, he ſaid, he was unwilling to believe, that " ſuch a Declaration as that could be publiſhed in Anſwer to his Meſſage, with- " out vouchſafing at leaſt to ſend it to his Majeſty as their Anſwer. This buſi- " neſs, for which they were met by his Writ and Authority, being to counſel " him for the good of his People, not to Write againſt him to his People; nor " had any conſent of his Majeſty for their long continuing together enabled " them to do any thing, but what they were firſt ſummoned by his Writ to do. " At leaſt he would believe, tho' miſunderſtanding and jealouſy (the Juſtice of " God, he ſaid, would overtake the Fomenters of that jealouſy, and the Pro- " moters and Contrivers of that miſunderſtanding) might produce, to ſay no " worſe, thoſe very Untoward expreſſions, that if thoſe Houſes had contrived " that Declaration as an Anſwer to his Meſſage, they would have vouchſafed " ſome Anſwer to the Queſtions propoſed in his, which, he profeſſed, did, and " muſt evidently prevail over his underſtanding; and in their Wiſdom and " Gravity, they would have been ſure to have ſtated the matters of Fact, as " (at leaſt to ordinary underſtandings) might be unqueſtionable; neither of " which was done by that Declaration.

" His Majeſty deſired to know, why he was by that Act abſolutely excluded " from any Power, or Authority in the execution of the Militia; and, he ſaid, " he muſt appeal to all the world, whether ſuch an Attempt, were not a greater " and juſter ground for Fear and Jealouſy in Him, than any one that was avow- " ed for thoſe Deſtructive Fears and Jealouſies which were ſo publickly own'd, " almoſt to the Ruin of the Kingdom. But his Majeſty had been told, that he " muſt not be jealous of his Great Council of both Houſes of Parliament: He " ſaid, he was not, no more than they were of his Majeſty, their King; and " hitherto they had not avow'd any Jealouſy of, or Diſaffection to his Perſon; " but imputed all to his evil Counſellors, to a Malignant Party, that was not " of Their minds; ſo his Majeſty did (and he ſaid, he did it from his Soul) " profeſs no Jealouſy of his Parliament, but of ſome Turbulent, Seditious and " Ambitious Natures; which, being not ſo clearly diſcern'd, might have an in- " fluence even upon the Actions of both Houſes: and if that Declaration had " paſſed by that conſent (which he was not willing to believe) he ſaid, it was " not impoſſible, but that the apprehenſion of ſuch Tumults, which had driven " his Majeſty from his City of *London*, for the ſafety of his Perſon, might make " ſuch an impreſſion upon other men, not able to remove from the danger, to " make them Conſent, or not to own a Diſſent, in matters not agreeable to their " Conſcience, or Underſtanding.

" He ſaid, he had mention'd, in that his Anſwer, his diſlike of putting Their " Names out of the Bill, whom before they recommended to his Majeſty, in their " pretended Ordinance, and the leaving out, by ſpecial Proviſion, the preſent

" Lord

"Lord Mayor of *London*; to all which the Declaration afforded no Anſwer; "and therefore he could not ſuppoſe it was intended for an Anſwer to that his "Meſſage, which whoſoever looked upon, would find to be in no degree An- "ſwer'd by that Declaration; but it informed all his Majeſty's Subjects, after the "mention with what humility the Ordinance was prepared, and preſented to "his Majeſty (a matter very evident in the Petitions, and Meſſages concerning "it) and his refuſal to give his conſent, notwithſtanding the ſeveral reaſons of- "fer'd, of the neceſſity thereof for the ſecuring of his Perſon, and the Peace "and Safety of his People (whether any ſuch reaſons were given, the weight of "them, and whether they were not clearly and candidly Anſwered by his Ma- "jeſty, the World would eaſily judge) that they were at laſt neceſſitated to make "an Ordinance, by Authority of both Houſes, to ſettle the Militia, war- "ranted thereunto by the Fundamental Laws of the Land. But, his Majeſty "ſaid, if that Declaration had indeed intended to have Anſwer'd him, it would "have told his good Subjects what thoſe Fundamental Laws of the Land were, "and where to be found; and would, at leaſt, have mention'd one Ordinance, "from the firſt beginning of Parliaments to this preſent Parliament, which "endeavour'd to impoſe any thing upon the Subject without the King's Conſent; "for of ſuch, he ſaid, all the enquiry he could make could never produce him "one Inſtance. And if there were ſuch a Secret of the Law, which had lain "hid from the beginning of the world to that time, and Now was diſcover'd "to take away the Juſt, Legal Power of the King, he wiſhed there were not "ſome Other Secret (to be diſcover'd when they pleaſed) for the ruin, and de- "ſtruction of the Liberty of the Subject. For, he ſaid, there was no doubt, "if the Votes of both Houſes had any ſuch Authority to make a New Law, "it had the ſame Authority to repeal the Old; and then, what would become "of the long eſtabliſhed Rights and Liberties of the King and Subject, and "particularly of *Magna Charta*, would be eaſily diſcern'd by the moſt ordinary "Underſtanding.

"He ſaid, it was true, that he had (out of tenderneſs of the Conſtitution "of the Kingdom, and care of the Law, which he was bound to defend, and "being moſt aſſured of the unjuſtifiableneſs of the pretended Ordinance) invi- "ted, and deſired both Houſes of Parliament to ſettle whatſoever ſhould be fit "of that nature by Act of Parliament. But was he therefore obliged to paſs "whatſoever ſhould be brought to him of that kind? He did ſay in his Anſwer "to the Petition of both Houſes preſented to him at *York* the 26th of *March* "laſt (and he had ſaid the ſame in other Meſſages before) that he allways thought "it neceſſary that the buſineſs of the Militia ſhould be ſettled, and that he never "denied the Thing, only denied the Way; and he ſaid the ſame ſtill; and that "ſince the many Diſputes and Votes, upon Lords Lieutenants and their Commiſ- "ſions (which had not been begun by his Majeſty, nor his Father) had ſo diſ- "countenanced that Authority, which for many years together was happily "looked upon with reverence, and obedience by the People, his Majeſty did "think it very neceſſary, that ſome wholeſom Law ſhould be provided for that "Buſineſs; but he had declared in his Anſwer to the pretended Ordinance, "that he expected, that that neceſſary Power ſhould be firſt inveſted in his Ma- "jeſty, before he conſented to transfer it to other men; neither could it ever "be imagined, that he would conſent that a greater Power ſhould be in the "hands of a Subject, than he was thought worthy to be truſted with Himſelf. "And if it ſhould not be thought fit to make a new Act or Declaration in the "point of the Militia, he doubted not, but he ſhould be able to grant ſuch "Commiſſions as ſhould very legally enable thoſe he truſted, to do all Offices "for the peace and quiet of the Kingdom, if any diſturbance ſhould happen.

"But it was ſaid, he had been pleaſed to offer them a Bill ready drawn, and "that They, to expreſs their earneſt Zeal to correſpond with his deſire, did "paſs that Bill; and yet all that Expreſſion of Affection and Loyalty, all that "earneſt deſire of theirs, to comply with his Majeſty, produced no better "effect than an abſolute denial, even of what by his former Meſſages his "Majeſty had promiſed; and ſo that Declaration, he ſaid, proceeded, under "the pretence of mentioning evil and wicked Counſels, to cenſure and re- "proach his Majeſty in a Dialect, that, he was confident, his good Subjects "would read, on his behalf, with much Indignation. But his Majeſty ſaid, ſure

" if that Declaration had paſſed the examination of both Houſes of Parliament, " they would never have affirmed, that the Bill he had refuſed to paſs, was the " ſame he had ſent to them, or have thought that his Meſſage, wherein the dif- " ference, and contrariety between the two Bills, was ſo particularly ſet down, " would be Anſwer'd with the bare Averring them to be one, and the ſame " Bill: nor would they have declar'd, when his exceptions to the Ordinance, " and the Bill were ſo notoriouſly known to all, that care being taken to give ſa- " tisfaction in all the particulars he had excepted againſt in the Ordinance, he had " found New exceptions to the Bill; and yet that very Declaration confeſſed, " that his exception to the Ordinance was, that, in the diſpoſing and execution " thereof, his Majeſty was Excluded: and was not that an expreſs reaſon, in " his Anſwer, for his refuſal of the Bill; which that Declaration would needs " confute?

" But the Power was no other than to ſuppreſs Rebellion, Inſurrection, and " Forreign Invaſion; and the Perſons truſted, no other than ſuch as were nomi- " nated by the Great Council of the Kingdom, and aſſented to by his Majeſty: " and they asked, if that were too Great a power to truſt thoſe Perſons with? " Indeed, his Majeſty ſaid, whilſt ſo great Liberty was uſed in Voting, and De- " claring Men to be Enemies to the Common-wealth (a phraſe his Majeſty ſcarce " underſtood) and in cenſuring Men for their Service, and Attendance upon his " Majeſty's Perſon, and in his lawful Commands, great heed muſt be taken into " what hands he committed ſuch a power to ſuppreſs Inſurrection, and Rebellion; " and if Inſurrection and Rebellion had found other Definitions than what the " Law had given, his Majeſty muſt be ſure that no Lawful power ſhould juſtify " thoſe Definitions: and if there were Learning found out to make Sir *John* " *Hotham*'s taking Arms againſt him, and keeping his Majeſty's Town and Fort " from him, to be no Treaſon or Rebellion, he knew not whether a new Diſco- " very might not find it Rebellion in his Majeſty to Defend Himſelf from ſuch " Arms, and to endeavour to recover what was ſo taken from him; and there- " fore, he ſaid, it concern'd him, till the known Laws of the Land were al- " low'd to be judge between them, to take heed into what hands he committed " ſuch power.

" Beſides, he asked, whether it could be thought, that becauſe he was willing " to truſt certain Perſons, that he was obliged to truſt them in Whatſoever they " were willing to be truſted? He ſaid, no Private Hands were fit for ſuch a " Truſt; neither had he departed from any thing, in the leaſt degree, he had " offer'd or promiſed before; tho' He might with as much reaſon have with- " drawn his Truſt from ſome Perſons, whom before he had accepted, as They " had done from others, whom they had recommended. For the power which " he was charged to have committed to particular perſons, for the ſpace of fif- " teen years, by his Commiſſions of Lieutenancy, it was notoriouſly known that " it was not a power created by his Majeſty, but continued very many years, " and in the moſt happy times this Kingdom had enjoyed, even thoſe of his re- " nown'd Predeceſſors, Queen *Elizabeth*, and his Father of happy memory: and " whatever Authority had been granted by thoſe Commiſſions, which had been " kept in the old forms, the ſame was determinable at his Majeſty's Pleaſure; " and he knew not, that they produced any of thoſe Calamities, which might " give his good Subjects cauſe to be ſo weary of them, as to run the hazard of ſo " much Miſchief, as that Bill, which he had refuſed, might poſſibly have pro- " duced.

" For the Precedents of former Ages in the Commiſſions of Array, his Maje- " ſty doubted not, but when any ſuch had iſſued out, that the King's conſent " was allways obtain'd, and the Commiſſions determinable at His pleaſure; " and then what the extent of power was, would be nothing applicable to that " Caſe of the Ordinance.

" But whether that Declaration had refuted his Majeſty's reaſons for his re- " fuſal to paſs the Bill, or no, it reſolved, and required all perſons in Authority " thereby to put the Ordinance in preſent execution; and all others to obey it " according to the Fundamental Laws of the Land. But, his Majeſty ſaid, He, " whom God had truſted to maintain and defend thoſe Fundamental Laws, " which, he hoped, God would bleſs to ſecure him, did declare, that there was " no Legal Power in Either, or both Houſes, upon any pretence whatſoever,

" with-

" without his Majeſty's conſent, to Command any part of the Militia of the " Kingdom; nor had the like ever been commanded by Either, or Both Houſes, " ſince the firſt foundation of the Laws of the Land; and that the Execu- " tion of, or the Obedience to that pretended Ordinance, was againſt the " Fundamental Laws of the Land, againſt the Liberty of the Subject, and the " Right of Parliaments, and a High Crime in any that ſhould execute the ſame: " and his Majeſty did therefore charge, and command all his loving Subjects of " what degree, or quality ſoever, upon their Allegiance, and as they tender'd " the Peace of the Kingdom, from thenceforth not to Muſter, Levy, or Array, " or Summon, or Warn any of the Train'd-bands to riſe, Muſter, or March, " by Virtue, or under Colour, of that pretended Ordinance: and to that De- " claration, and Command of his Majeſty's, he ſaid, he expected and required " a full Submiſſion, and Obedience from all his loving Subjects, upon their Alle- " giance, as they would Anſwer the contrary at their Perils, and as they ten- " der'd the upholding of the True Proteſtant Religion, the Safety of his Per- " ſon, and his Royal Poſterity, the Peace, and Being of the Kingdom.

Notwithſtanding theſe ſharp Declarations (infallible Symptoms of ſharper Actions) which were with equal diligence diſperſed by either ſide among the People, ſave that the Agents for the Parliament took as much care to Suppreſs the King's, as to publiſh their own, whereas the King's deſire was that they might be both impartially read and examin'd, and to that purpoſe allways cauſed thoſe from the Parliament to be printed with his own, They had the power and skill to perſwade men, who, but by that perſwaſion, could not have been ſeduced, and without ſeducing of whom they could have made but a very ſorry progreſs in miſchief, " that all would be well; that they were well aſſu- " red that the King would, in the end, yield to what they deſir'd; at leaſt, " that they ſhould prevail for a good Part, if not for All; and that there ſhould " be no War; tho' themſelves well knew, that the fire was too much kindled, to be extinguiſhed without a flame, and made preparations accordingly. For the raiſing and procuring of Money (beſides the vaſt Sums collected and contributed for *Ireland*, which they disburſed very leiſurely, the ſupplies for that Kingdom, notwithſtanding the importunity and complaint from thence, being not diſpatch'd thither, both in quantity and quality, with that expedition as was pretended) they ſent out very ſtrict Warrants for the gathering all thoſe Sums of Money, which had been granted by any Bills of Subſidy, or Poll-Bill; in the collection of all which there had been great negligence, probably that They might have it the more at their own diſpoſal in their Need; by which they now recover'd great Sums into their hands. For the raiſing of Men (tho' it was not Yet time for them to avow the raiſing an Army) beſides the diſpoſing the whole Kingdom to Subject themſelves to their Ordinance of the Militia, and, by That, liſting in all places companies of Volunteers, who would be ready when they were called, they made more haſt than they had done in the Levies of Men, both Horſe and Foot, for the relief of *Ireland*, under Officers choſen, or approved by Themſelves; and propoſed the raiſing of an Army apart, of ſix or eight thouſand, under the Command of the Lord *Wharton* (a man very faſt to them) for *Munſter*, under the ſtyle of the Adventurer's Army, and to have no dependance upon, nor be ſubject to, the Lord Lieutenant of *Ireland*, but only to receive Orders from the two Houſes, and from a Committee to be appointed by them, which ſhould be allways with that Army: but the King, eaſily diſcerning the conſequence of that deſign, refuſed to grant ſuch a Commiſſion as they deſir'd; ſo that they were forced to be content, only with the advantage of New Exclamations againſt the King, " for hindering the ſupplies for *Ireland*, upon the occaſion of his denial of that unreaſonable Commiſſion, and to proceed in their levies the Ordinary way; which they did, with great expedition. To confirm and encourage the Factious and Schiſmatical Party of the Kingdom, which thought the pace towards the reformation was not brisk, and furious enough, and was with great difficulty contained in ſo ſlow a March, They had, a little before, publiſhed a Declaration,

" That they intended a due, and neceſſary Reformation of the Government, and Liturgy of the Church, and to take away nothing in the One or the Other, " but what ſhould be Evil, and Juſtly offenſive, or at leaſt Unneceſſary, and " Burthenſome; and, for the better effecting thereof, ſpeedily to have conſul- " tation

The two Houſes Declaration concerning a Reformation of the Liturgy.

" tation with Godly and Learned Divines: and, becauſe that would never of it
" ſelf attain the end ſought therein, they would therefore uſe their utmoſt en-
" deavours to eſtabliſh Learned, and Preaching Miniſters, with a good and ſuf-
" ficient maintenance throughout the whole Kingdom; wherein many dark
" Corners were miſerably deſtitute of the means of Salvation, and many poor
" Miniſters wanted neceſſary proviſion.

This Declaration, printed, and appointed to be publiſhed by the Sheriffs in their ſeveral Counties, in all the Market Towns within the Kingdom of *England*, and Dominion of *Wales*, was not more intended to the heartning of thoſe, who were impatient for a Reformation (who in truth had ſo implicite a Faith in their Leaders, that they expected another manner of Reformation than was publickly promiſed) than to the lulling thoſe aſleep, who began to be awake with the apprehenſion of that confuſion, they apprehended from the practice and licence, they ſaw practiced againſt the received Government, and Doctrine of the Church; and to be perſwaded, that it was time to oppoſe that Current. And, in this project, they were not diſappointed: for tho' this warily worded Declaration was evidence enough to Wiſe men, what They intended; and Logically comprehended an Alteration as great, as has been ſince attempted, and made; yet to Lazy and Quiet men, who could not diſcern conſequencies, and were not willing to Antedate their miſeries, by ſuſpecting worſe was to come than they felt, or ſaw in their View, their fears were much abated, and the intentions of the Parliament ſeem'd not ſo bad, as they had been told by ſome that they were: and as this very Declaration of a due Reformation to be made of the Government of the Church, and Liturgy, would, a year before, have given great Umbrage and Scandal to the People, when, generally, there was a due ſubmiſſion to the Government, and a ſingular reverence of the Liturgy of the Church of *England*; ſo Now, when there was a General fear and apprehenſion inculcated into them, of a purpoſe utterly to ſubvert the Government, and utterly to aboliſh the Liturgy, they thought the taking away nothing in the One or the Other, but what ſhould be Evil, or Juſtly offenſive, or, at leaſt, Unneceſſary and Burthenſome, was an eaſy Compoſition; and ſo, by degrees, they ſuffered themſelves to be ſtill prevailed on towards ends, they extremely abhorred; and what at firſt ſeem'd Prophane and Impious to them, in a little time appear'd only Inconvenient; and what, in the beginning, they thought matter of Conſcience and Religion, ſhortly after they looked upon, as ſomewhat rather to be Wiſhed than poſitively Inſiſted on; and conſequently not to be laid in the balance with the Publick Peace, which they would imagine to be endanger'd by oppoſing the ſenſe that then prevailed: and ſo, by Undervaluing many particulars (which they Truly eſteem'd) as rather to be conſented to, than that the general ſhould ſuffer, they Brought, or Suffer'd the Publick to be brought to all the ſufferings it ſince underwent.

The Aſſembly of Divines.

And now They ſhew'd what Conſultation they meant to have with Godly and Learned Divines, and what Reformation they intended, by appointing the Knights and Burgeſſes to bring in the Names of ſuch Divines for the ſeveral Counties, as they thought fit to conſtitute an Aſſembly for the framing a new Model for the Government of the Church, which was done accordingly; thoſe who were true Sons of the Church, not ſo much as endeavouring the Nomination of Sober, and Learned Men, abhorring ſuch a Reformation, as begun with the Invaſion, and Suppreſſion of the Churches Rights in a Synod, as well known as *Magna Charta:* and if any well affected Member, not enough conſidering the ſcandal, and the conſequence of that Violation, did Name an Orthodox, and well reputed Divine, to aſſiſt in that Aſſembly, it was Argument enough againſt him, that he was Nominated by a Perſon, in whom they had no Confidence; and They only had reputation enough to Commend to this Conſultation, who were known to deſire the utter demoliſhing of the whole Fabrick of the Church: ſo that of about one hundred and twenty, of which that Aſſembly was to conſiſt (tho', by the recommendation of two or three Members of the Commons, whom they were not willing to diſpleaſe, and by the Authority of the Lords, who added a ſmall Number to thoſe named by the Houſe of Commons, a few very Reverend, and Worthy men were inſerted; yet of the whole Number) they were not above Twenty, who were not declar'd, and avow'd Enemies to the Doctrine, or Diſcipline of the Church of *England*; ſome of them infamous

in

in their lives, and converſations; and moſt of them of very mean parts in Learning, if not of Scandalous Ignorance; and of no other reputation, than of malice to the Church of *England*; ſo that that Convention hath not Since produced any thing that might not Then reaſonably have been expected from it.

But that which gave greateſt power, and ſtrength to their growing Faction, was the ſeverity they uſed againſt all thoſe, of what Quality or Degree ſoever, who oppoſed their Counſels, and Proceedings. If any Lord, who had any place of Honour, or Truſt from the King, concurred not with them, they made an inquiſition into the whole paſſages of his Life; and if they could find no Fault, or no Folly (for any Levity, or Indiſcretion ſerved for a Charge) to reproach him with, it was enough "that they could not confide in him: ſo they threatned the Earl of *Portland*, who with extraordinary vivacity croſſed their Conſultations, "that they would remove him from his Charge and Government of the "Iſle of *Wight* (which at laſt they did *de facto*, by committing him to Priſon without aſſigning a Cauſe) and to that purpoſe, objected all the Acts of good fellowſhip; all the waſt of Powder, and all the waſt of Wine in the drinking of Healths: and other acts of Jollity, when ever he had been at his Government, from the firſt hour of his entering upon it; ſo that the Leaſt inconvenience a man in Their Diſfavour was to expect, was to have his Name and Reputation uſed, for two or three hours, in the Houſe of Commons with what Licence and Virulency they pleaſed. None were perſecuted with more rigour, than the Clergy; whereof whoſoever publickly, or privately cenſured their Actions, or ſuſpected their Intentions, was either committed to Priſon, or compelled to a chargeable and long Attendance, as inconvenient as Impriſonment. And this meaſure of proceeding was Equally, if not with more Animoſity, applied to thoſe, who, in former times, had been looked upon by that Party with moſt reverence. On the contrary, whoever Concurred, Voted, and Sided with them, in their extravagant concluſions, let the infamy of his Former life, or Preſent practice be what it would; his injuſtice and oppreſſion never ſo ſcandalous, and notorious; He was received, countenanc'd, and protected with marvellous demonſtrations of Affection: ſo that, between thoſe that Loved them, and thoſe that Fear'd them; thoſe that did not love the Church, and thoſe that did not love ſome Church-men; thoſe whom the Court had oppreſſed, and thoſe who had helped the Court to oppreſs Others; thoſe who fear'd their Power, and thoſe who fear'd their Juſtice; their Party was grown over the Kingdom, but eſpecially in the City, juſtly formidable.

In the mean time, the King omitted no opportunity to provide againſt the Storm he ſaw was coming; and, tho' he might not Yet own the apprehenſion of that danger he really found himſelf in, he neglected not the proviſion of what he thought moſt neceſſary for his defence; he cauſed all his Declarations, Meſſages, and Anſwers, to be induſtriouſly communicated throughout his Dominions; of which he found good effects; and, by their reception, diſcover'd that the People univerſally were not ſo irrecoverably poiſon'd, as he before had cauſe to fear: He cauſed private intimations to be given, and inſinuations to be made to the Gentry, "that Their preſence would be acceptable to him; and to thoſe, who came to him, he uſed much gracious freedom; and expreſſed all poſſible demonſtrations, that he was glad of their Attendance: ſo that, in a ſhort time, the reſort to *York* was very great; and, at leaſt, a good face of a Court there.

Beyond the Seas, the Queen was as intent to do Her part; and to provide that ſo good Company, as ſhe heard was daily gather'd together about the King, ſhould not be diſſolved for want of Weapons to defend one another: and therefore, with as much ſecrecy, as could be uſed in thoſe Caſes, and in thoſe places where ſhe had ſo many Spies upon her, ſhe cauſed, by the Sale or Pawning of her own, and ſome of the Crown Jewels, a good quantity of Powder and Arms to be in a readineſs in *Holland*, againſt the time that it ſhould be found neceſſary to tranſport it to his Majeſty: ſo that both Sides, whilſt they entertain'd each other with diſcourſes of Peace (which allways carried a ſharpneſs with them, that whetted their appetite to War) provided for that War, which they ſaw would not be prevented.

Hitherto the greateſt Acts of Hoſtility, ſaving that at *Hull*, were perform'd by Votes, and Orders; for there was Yet no viſible, formal execution of the Ordinance for the Militia, in any one County of *England*: for the appearance of Volunteers in ſome factious Corporations was rather Countenanced, than poſitively Directed and Enjoyn'd by the Houſes: and moſt places pretended an Authority granted by the King in the Charters, by which thoſe Corporations were erected, or conſtituted: but Now they thought it time to ſatisfy the King, and the People, that they were in Earneſt (who were hardly perſwaded, that they had in truth the courage to execute their own Ordinance) and Reſolved, "that, "on the tenth of *May*, they would have all the Train'd-bands of *London* Mu-"ſter'd in the Fields, where that exerciſe uſually was perform'd; and accordingly, on that day, their own new Officer, Serjeant-Major-General *Skippon*, appear'd in *Finsbury* Fields, with all the Train'd-bands of *London*, conſiſting of above eight thouſand Soldiers, diſpoſed into ſix Regiments, and under ſuch Captains and Colonels, as they had cauſe to Confide in. At this firſt triumphant Muſter, the Members of both Houſes appear'd in groſs; there being a Tent purpoſely ſet up for them, and an entertainment at the Charge of the City to the value of near a thouſand pounds; all men preſuming, that this example of *London*, with ſuch ceremony and ſolemnity, would be eaſily follow'd throughout the Kingdom; and many believing, they had made no ſmall progreſs towards the end they aimed at, by having engaged the very body of the City in a guilt equal to their own: for, tho' they had before ſufficient evidence of the Inclinations of the Mean, and Common people to them, and reaſonable aſſurance, that thoſe in Authority would hardly be able to contain them; yet, till this day, they had no inſtance of the Concurrence of the City in an Act expreſsly Unlawful. But now they preſumed all difficulties were over; and ſo ſent their Directions to the Counties adjacent, "ſpeedily to execute the ſame Ordinance; and appointed all the Magazines of the ſeveral Counties of *England*, and *Wales*, to ſuch Cuſtody, as their Lord Lieutenants, or their Deputy Lieutenants ſhould appoint; and that not only the Counties ſhould increaſe thoſe Magazines to what proportion ſoever they thought convenient, but that any private Perſons, that were well affected, ſhould ſupply themſelves with what Arms and Ammunition they pleaſed. By which means, beſides the King's Magazines, all which were in their poſſeſſion, they cauſed great quantities of all ſorts of Arms to be provided, and diſpoſed to ſuch places, and Perſons, as they thought fitteſt to be truſted; eſpecially in thoſe factious Corporations, which had liſted moſt Volunteers for their Service.

The King now ſaw the Storm coming apace upon him; that (notwithſtanding his Proclamation publiſhed againſt the Ordinance of the Militia, in which he ſet down the Laws, and Statutes, which were infringed thereby, and by which the execution of that Ordinance would be no leſs, than High-Treaſon) the Votes, and Declaration of both Houſes "that thoſe Proclamations were il-"legal, and that thoſe Acts of Parliament could not control the Acts, and Or-"ders of both Houſes (which the Subjects were, by the Fundamental Laws of "the Kingdom, to obey) prevailed ſo far, that obedience was given to them; that he was ſo far from being like to have *Hull* reſtored to him, that the Garriſon, there daily increaſed, and forced the Country to ſubmit to ſuch Commands, as they pleaſed to lay on them; and that Sir *John Hotham* was more likely to be able to Take *York*, than his Majeſty to Recover *Hull*; he thought it, therefore, high time, by their example, to put himſelf into a poſture of Defence; the danger being much more Imminent to his Majeſty, than to thoſe, who had begot that Ordinance. Hereupon, at a publick meeting of the Country, his Majeſty declared "that he was reſolved, in regard of the Publick diſtempers, "and the neighbourhood of *Hull*, to have a Guard for his Perſon; but of ſuch "Perſons, and with ſuch Circumſtances, as ſhould adminiſter no occaſion of Jea-"louſy to the moſt Suſpicious; and wiſhed the Gentlemen of Quality, who attended, to conſider, and adviſe of the way: Who ſhortly after (notwithſtanding the oppoſition given by the Committee, which ſtill reſided there; and the factious Party of the County, which was inflamed and govern'd by them) expreſſed a great alacrity to comply with his Majeſty's deſire, in whatſoever ſhould be propoſed to them; and a ſenſe, "that they thought a ſufficient Guard was "very neceſſary for the ſecurity of his Majeſty's Perſon. Hereupon, the King appointed

appointed ſuch Gentlemen as were willing, to liſt themſelves into a Troop of Horſe, and made the Prince of *Wales* their Captain; and made choice of One Regiment of the Train'd-bands, conſiſting of about ſix hundred, whom he cauſed, every *Saturday*, to be paid at his own charge; when he had little more in his Coffers, than would defray the weekly expence of his Table: and this Troop, with this Regiment, was the Guard of his Perſon; it being firſt declared by his Majeſty, "that no Perſon ſhould be ſuffer'd, either in the Troop, or the Regi-"ment, who did not, before his Admiſſion into the Service, take the Oaths of "Allegiance and Supremacy; that ſo he might be free from the ſcandal of en-"tertaining Papiſts for his ſecurity.

But this caution would not ſerve; the Fears and Jealouſies were capable of no other Remedies, than ſuch as were preſcribed by thoſe Phyſicians, who were practiced in the Diſeaſe. As ſoon as the Intelligence was arrived at *London*, "that the King actually had a Guard (tho' the Circumſtances were as well "known that were uſed in the raiſing it) both Houſes publiſhed theſe three Votes, and diſperſed them:

1. "That it appear'd, that the King, ſeduced by wicked Counſel, intended "to make War againſt the Parliament; who, in all their Conſultations and Ac-"tions, had propoſed no other end unto themſelves, but the care of his King-"doms, and the performance of all Duty, and Loyalty to his Perſon.

2. "That whenſoever the King maketh War upon the Parliament, it is a "breach of the Truſt repoſed in him by his People; contrary to his Oath; and "tending to the Diſſolution of the Government.

3. "That whoſoever ſhould Serve him, or aſſiſt him in ſuch Wars, are Trai-"tors by the Fundamental Laws of the Kingdom; and have been ſo adjudged "by two Acts of Parliament, 2 *Rich* II. and 1 *Hen.* IV. and ought to ſuffer as "Traitors.

Theſe luſty Votes they ſent to the King to *York*, together with a ſhort Petition, in which they told him,

The two Houſes Petition the King to Diſſolve his Guards, May 23, 1642.

"That his Loyal Subjects, the Lords and Commons in Parliament, did hum-"bly repreſent unto his Majeſty, that notwithſtanding his frequent profeſſions "to his Parliament, and the Kingdom, that his deſire, and intention was only "the preſerving the true Proteſtant profeſſion, the Laws of the Land, the Li-"berty of his People, and the Peace of the Kingdom; nevertheleſs, they per-"ceived with great grief, by his Speech of the twelfth of *May*, and the Paper, "printed in his Majeſty's name, in the form of a Proclamation, bearing date the "fourteenth of *May*, and other Evidences, that, under colour of raiſing a Guard "to ſecure his Perſon, of which Guard (conſidering the fidelity, and care of his "Parliament, there could be no uſe, his Majeſty did command Troops, both of "Horſe and Foot, to aſſemble at *York*; the very beginnings whereof were ap-"prehended by the Inhabitants of that County to be an Affrightment, and Di-"ſturbance of his Liege People, as appear'd by their Petition preſented to him; "the continuing, and increaſing of which Forces, was to his Parliament, and "muſt needs be, a juſt cauſe of great Jealouſy, and Danger to his whole King-"dom.

"Therefore, they did humbly beſeech his Majeſty to Disband all ſuch Forces, "as, by his Command, were aſſembled, and relying for his Security (as his Pre-"deceſſors had done) upon the Laws, and Affections of his People, he would "be pleas'd to deſiſt from any further deſigns of that nature, contenting himſelf "with his uſual, and ordinary Guards; otherwiſe they ſhould hold themſelves "bound in duty towards God, and the Truſt repoſed in them by the People, "and the Fundamental Laws, and Conſtitutions of the Kingdom, to employ "their care, and utmoſt power to ſecure the Parliament, and to preſerve the "Peace, and Quiet of the Kingdom.

To this Petition, deliver'd publickly, and read with an equal confidence by their Leiger Committee, his Majeſty Anſwer'd,

His Majeſty's Anſwer.

"That he could not but extremely wonder, that the cauſleſs Jealouſies con-"cerning his Majeſty, raiſed and fomented by a Malignant Party in the King-"dom, which deſired nothing more, than to ſnatch to themſelves Particular "advantages out of a general Combuſtion (which means of advantage ſhould "never be miniſter'd to them by His fault, or ſeeking) ſhould not be only able "to ſeduce a Weak Party in the Kingdom, but ſeem to find ſo much Counte-

" nance even from both Houſes, as that his raiſing of a Guard, without further
" deſign than for the ſafety of his Perſon, an Action ſo legal, in a Manner ſo
" peaceable, upon Cauſes ſo evident and neceſſary, ſhould not only be looked
" upon, and Petition'd againſt by them, as a cauſe of Jealouſy; but declar'd to
" be raiſing of a War againſt them, contrary to his former profeſſions of his
" care of Religion, and Law: and he no leſs wonder'd, that That Action of
" his ſhould be ſaid to be apprehended by the Inhabitants of that County, as an
" Affrightment, and Diſturbance to his People, having been as well Received
" there, as it was every where to be Juſtify'd; and (he ſpake of the general,
" not of a few ſeduced Particulars) aſſiſted, and ſped by that County, with that
" loyal Affection and Alacrity, as was a moſt excellent Example, ſet to the reſt
" of the Kingdom, of their care of his ſafety upon all occaſions; and ſhould
" never be forgotten by Him, nor, he hoped, by his Poſterity; but ſhould be
" ever paid to them, in that, which is the proper expreſſion of a Prince's gra-
" titude, a perpetual, vigilant care to govern them juſtly, and to preſerve the
" only Rule, by which they can be ſo govern'd, the Law of the Land: and, he
" ſaid, he was confident, that, if they were Themſelves Eye-witneſſes, they
" would ſo ſee the Contrary, as to give little preſent Thanks, and, hereafter,
" little Credit to their Informers; and, if they had no better information, and
" intelligence of the Inclinations, and Affections of the reſt of the Kingdom,
" certainly the minds of his People (which to ſome Ends, and Purpoſes, they
" did repreſent) were but ill repreſented unto Them.

" He asked them, when they had ſo many Months together not contented
" themſelves to rely for ſecurity, as their Predeceſſors had done, upon the Af-
" fection of the People, but by their own Single Authority had raiſed to
" themſelves a Guard (and that ſometimes of no ordinary Numbers, and in no
" ordinary Way) and yet all thoſe Pikes and Proteſtations, that Army, on One
" ſide, and that Navy, on the Other, had not perſwaded his Majeſty to com-
" mand them to disband their Forces, and to content themſelves with their
" Ordinary, that was, No guard; or work in him an opinion that they appear'd
" to levy War againſt him, or had any further deſign; how it was poſſible, that
" the ſame Perſons ſhould be ſo apt to ſuſpect, and condemn his Majeſty, who
" had been ſo unapt, in the Same matter, upon much More ground, to tax
" or ſuſpect Them? This, he ſaid, was his Caſe, notwithſtanding the Care and
" Fidelity of his Parliament: his Fort was kept by arm'd men againſt him; his
" proper Goods firſt detained from him, and then, contrary to his command, by
" ſtrong hand offer'd to be carried away; in which, at once, all his Property,
" as a private perſon; all his Authority, as a King, was wreſted from him:
" and yet for him to ſecure himſelf in a Legal way, that Sir *John Hotham* might
" not by the ſame Forces, or by more, raiſed by pretence of the ſame Au-
" thority (for he daily raiſed ſome, and it was no new thing for him to pretend
" orders, which he could not ſhew) continue the War that he had levied againſt
" his Majeſty; and as well impriſon his Perſon, as detain his Goods; and as
" well ſhut him up in *York*, as ſhut him out of *Hull*; was now ſaid to be eſteem'd
" a cauſe of great Jealouſy to the Parliament, a raiſing a War againſt them,
" and of danger to the whole Kingdom: whilſt theſe Injuſtices, and Indigni-
" ties offer'd to him were countenanced by Them, who ought to be moſt for-
" ward in his Vindication, and their Puniſhment, in obſervation of their Oaths,
" and Truſt repoſed in them by the People, and to avoid the Diſſolution of the
" preſent Government. Upon which Caſe, he ſaid, the whole world was to
" judge, whether his Majeſty had not reaſon, not wholely to rely upon the Care,
" and Fidelity of his Parliament, being ſo ſtrangely blinded by malignant ſpi-
" rits, as not to perceive his Injuries; but to take ſome care of his own Perſon,
" and, in order to that, to make uſe of that Authority, which the Laws declar'd
" to be in his Majeſty: and, whether that Petition, with ſuch a threatning Con-
" cluſion, accompanied with more threatning Votes, gave him not cauſe, ra-
" ther to increaſe, than to diminiſh his Guards; eſpecially, ſince he had ſeen, be-
" fore the Petition, a printed Paper dated the ſeventeenth of *May*, underwrit-
" ten by the Clerk of the Houſe of Commons, commanding, in the name of
" both Lords and Commons, the Sheriffs of all Counties to raiſe the Power of all
" thoſe Counties, to ſuppreſs ſuch of his Subjects, as, by any of his Majeſty's com-
" mands, ſhould be drawn together, and put (as that Paper called it) in a po-

" ſture

" ſture of War ; charging all his Majeſty's Officers, and Subjects to aſſiſt them " in it, at their Perils. For tho', he ſaid, he could not ſuſpect, that That Pa- " per ; or any bare Votes, not grounded upon Law or Reaſon ; or Quotations " of repeal'd Statutes, as thoſe were of the 2 *Rich.* II. and 1 *Hen.* IV. ſhould " have any ill influence upon his good People, who knew their Duties too well, " not to know that to take up Arms againſt thoſe, who, upon a Legal com- " mand of his Majeſty, came together to a moſt Legal end (that was, his Ma- " jeſty's ſecurity, and preſervation) were to levy War againſt his Majeſty ; " yet, if that Paper were really the Act of both Houſes, he could not but look " upon it, as the higheſt of Scorns and Indignities ; Firſt, to iſſue out Com- " mands of Force againſt him ; and, after thoſe had appear'd uſeleſs, to of- " fer, by Petition, to perſwade him to that, which that Force ſhould have " effected.

" He ſaid, he concluded his Anſwer to their Petition with his Counſel to " them, that they would joyn with him in exacting ſatisfaction for that unpa- " rallel'd, and Yet unpuniſh'd Action of Sir *John Hotham* ; and that they would " command his Fort, and Goods to be return'd to his own hands : that they " would lay down all pretences (under pretence of Neceſſity, or declaring " what is Law) to make Laws without his Majeſty, and, by conſequence, but " a Cipher of his Majeſty : that they would declare effectually againſt Tumults, " and call in ſuch Pamphlets (puniſhing the Authors, and Publiſhers of them) " as ſeditiouſly endeavour to diſable his Majeſty from protecting his People, by " weakening, by falſe Aſperſions and new falſe Doctrines, His Authority with " Them, and Their Confidence in Him : The particulars of which Tumults, " and Pamphlets, he ſaid, he would long ſince have taken care, his Learned " Council ſhould have been enabled to give in evidence, if, upon his former of- " fer, his Majeſty had received any return of encouragement from them in it : " and, he ſaid, if they did That, they would Then, and hardly till Then, per- " ſwade the world, that they had diſcharged their Duty to God, the Truſt re- " poſed in them by the People, and the Fundamental Laws, and Conſtitutions " of the Kingdom ; and employed their care, and utmoſt power, to ſecure the " Parliament (for, he ſaid, He was ſtill a part of the Parliament, and ſhould " be, till this well temper'd Monarchy was turn'd to a Democracy) and to pre- " ſerve the Peace, and Quiet of the Kingdom ; which, together with the De- " fence of the Proteſtant Religion, the Laws of the Land, and his own juſt Pre- " rogative (as a part of, and a defence to thoſe Laws) had been the main End, " which in his Conſultations, and Actions, he had propoſed to Himſelf.

It will be wonder'd at hereafter, that in a judging and diſcerning State, where Men had, or ſeem'd to have, their faculties of reaſon, and underſtanding, at the height ; in a Kingdom Then unapt, and generally uninclined to War (how wantonly ſoever it hath Since ſeem'd to throw away its Peace) thoſe Men, who had the skill and cunning, out of froward and peeviſh humours and indiſpoſitions to compound Fears and Jealouſies, and to animate and inflame thoſe Fears and Jealouſies into the moſt prodigious, and the boldeſt Rebellion, that any Age, or Country ever brought forth ; who very well Saw, and Felt, that the King had not only, to a degree, wound himſelf out of that Labyrinth, in which, four Months before, they had involved him, with their Priviledges, Fears, and Jea- louſies ; but had even ſo well informed the People, that they begun to queſtion both their Logick and their Law, and to ſuſpect, and cenſure the improvement, and gradation of their Fears, and the extent, and latitude of their Priviledges ; and that they were not only Denied by the King, what they required, but that the King's Reaſons of his denial made very many conclude the Unreaſonableneſs of Their demands : I ſay, it may ſeem ſtrange, that theſe Men could entertain the hope, and confidence to obtrude ſuch a Declaration, and Vote, upon the People, " that the King did intend to make War againſt the Parliament ; when they were ſo far from apprehending, that he would be able to get an Army to di- ſturb them, that they were moſt aſſured, he would not be able to get Bread to ſuſtain Himſelf three Months, without ſubmitting all his Counſels to Their con- duct and controll ; and that the offering to impoſe it, did not awaken the Peo- ple to an indignation, which might have confounded them : for beſides their Preſumption in endeavouring to Search, what the Scripture it ſelf told them was Unſearchable, the Heart of the King ; the very Law of the Land, whoſe

defence they pretended, makes no concluſion of the Intention of the meaneſt Subject, in a matter of the higheſt, and tendereſt conſideration, even Treaſon it ſelf againſt the life of the King, without ſome overt, unlawful Act, from whence, and other circumſtances, the ill Intention may be Reaſonably made appear; and therefore, to declare that the King intended to make War againſt his Parliament, when he had neither Ship, Harbour, Arms, nor Money, and knew not how to get any of them, and when he offer'd to Grant any thing to them, which they could pretend a juſtifiable reaſon for Asking, was an undertaking of that Nature, that even the Allmightineſs of a Parliament might have deſpair'd to ſucceed in.

But, notwithſtanding all this, they very well knew What they did, and underſtood what infinite advantage that Vote would (as it did) bring to them; and, that a Natural way would never bring them to their Unnatural end. The power and reputation of Parliament, they believed, would Implicitly prevail over many; and amaze and terrify others from diſputing, or cenſuring What they did, and upon what Grounds they did it. The difficulty was, to procure the judgment of Parliament; and to incline thoſe different conſtitutions, and different affections, to ſuch a Concurrence, as the judgment might not be diſcredited, by the number of the Diſſenters; nor wounded, or prejudged by the Reaſons, and Arguments given againſt it: and then, their Judgments of the Cure being to be grounded upon the nature, and information of the Diſeaſe, it was neceſſary to confine, and contract their fancies and opinions within ſome bounds, and limits: the myſtery of Rebellion challenging the ſame encouragement with other Sciences, to grow by; that there may be certain Poſtulata, ſome Principles and Foundations, upon which the main building may ſubſiſt. So, in the caſe of the Militia, an Imminent danger muſt be firſt Suppoſed, by which the Kingdom is in apparent hazard, and then the King's refuſal to apply any remedy againſt that danger, before the two Houſes would pretend to the power of diſpoſing that Militia: it being too rediculous to have pretended the natural and ordinary Juriſdiction over it: but, in caſe of danger, and danger ſo imminent, that the Uſual recourſe would not ſerve the turn, and for the ſaving of a Kingdom, which muſt Otherwiſe be loſt, many Good men thought it was reaſonable to apply a very Extraordinary prevention, without imagining ſuch a ſuppoſition might poſſibly ingage them in any Action, contrary to their own Inclinations; and, without doubt, very many who frankly Voted that Imminent neceſſity, were induced to it, as an Argument, that the King ſhould be therefore importuned to conſent to the Settlement; which would not have appeared ſo neceſſary a Requeſt, if the occaſion had not been Important; never ſuſpecting, that it would have been improved into an Argument to them, to adventure the doing it without the King's conſent. And it is not here unſeaſonable (how merry ſoever it may ſeem to be) as an inſtance of the Incogitancy, and Inadvertency of thoſe kind of Votes and Tranſactions, to remember that the firſt Reſolution of the Power of the Militia being grounded upon a Suppoſition of an Imminent neceſſity, the Ordinance firſt ſent up, from the Commons to the Lords, for the execution of the Militia, expreſſed an *eminent* neceſſity; whereupon, ſome Lords, who underſtood the difference of the words, and that an Eminent neceſſity might be ſupplied by the ordinary proviſion, which, poſſibly, an *imminent* neceſſity might not ſafely attend, deſired a Conference with the Commons, for the Amendment, which, I remember, was at laſt, with great difficulty, conſented to: many (who, I preſume, are not yet grown up to conceive the difference) ſuppoſing it an unneceſſary contention for a Word, and ſo yielding to them, for ſaving of time, rather than diſpute a thing which to Them ſeem'd of no great moment.

They who contrived this Scene, never doubted but after a Reſolution what was to be done upon a Suppoſed neceſſity, they would eaſily, when they found it Convenient, make that neceſſity Real. It was no hard matter to make the Fearful, apprehenſive of Dangers; and the Jealous, of Deſigns; and they wanted not Evidence of all kinds; of Letters from abroad, and Diſcoveries at home, to make thoſe apprehenſions formidable enough; and then, tho', Before the Reſolution, there was a great latitude in Law and Reaſon, what was Lawfully to be done, they had Now forejudged themſelves, and Reſolved of the Proper remedy, except they would argue againſt the Evidence; which Uſually would have

have been to diſcountenance, or undervalue ſome Perſon of notable reputation, or his Correſpondence; and allways, to have oppoſed That that was of ſuch an Allay, as, in truth, did operate upon the Major part. So, in the Caſe upon which we now diſcourſe, if they had, in the moſt advantagious Article of their fury, profeſſed the raiſing an Army againſt the King, there was yet that reverence to Majeſty, and that Spirit of Subjection and Allegiance in moſt Men, that they would have looked upon it with Oppoſition, and Horrour: but Defenſive Arms were more plauſible Divinity, and if the King ſhould commit ſuch an Outrage, as to levy War againſt his Parliament, to deſtroy the Religion, Laws, and Liberty of the Kingdom, Good men were perſwaded, that ſuch a reſiſtance might be made, as might preſerve the Whole; and he that would have argued againſt this Theſis, beſides the Impertinency of arguing againſt a ſuppoſition, that was not like to be Real, and in which the Corrupt conſideration of Safety ſeem'd to bribe moſt Men, could never eſcape the cenſure of promoting Tyranny, and lawleſs Dominion. Then to incline Men to concur in the Declaration "of the King's Intention to make War againſt the Par-"liament, they were perſwaded it might have a Good, and could have no Ill effect: the remedies, that were to be applied upon an Actual levying of War, were not juſtifiable upon the Intention; and the declaring this Intention, and the Dangers it carried with it to the King himſelf, and to all thoſe who ſhould aſſiſt him, would be a probable means of reforming ſuch Intention, and preventing the Execution: Inconvenience it could produce none (for the diſquieting, or diſpleaſing the King was not thought Inconvenient) if there were no progreſs in the ſuppoſed Intention; if there were, it were fit the whole Kingdom ſhould ſtand upon its Guard, and not be Surpriſed to its confuſion.

By theſe falſe, and fallacious Mediums, the clearneſs of Men's underſtandings were dazled; and, upon the matter, all their opinions, and judgments for the Future, captivated and præengaged by their own Votes, and Determinations. For, how eaſy a matter is it to make it appear to that man, who conſented that the King Intended to make War againſt the Parliament, that when he ſhould Do it, he had broken his Oath, and diſſolved his Government; and, that whoſoever ſhould aſſiſt him were Traitors? I ſay, how eaſy was it to perſwade That man, that he was obliged to defend the Parliament; to endeavour to uphold That Government; and to reſiſt Thoſe Traitors? and whoſoever conſiders that the nature of men, eſpecially of men in Authority, is inclined rather to Commit two errours, than to Retract one, will not marvel, that from this Root of unadviſedneſs, ſo many, and tall Branches of miſchief have proceeded. And therefore, it were to be wiſhed, that thoſe who have the honour to be truſted in Publick Conſultations, were indued with ſo much natural Logick, to diſcern the conſequencies of every publick Act, and Concluſion; and with ſo much Conſcience and Courage, to watch the Firſt impreſſions upon their underſtanding and complyance: and that, neither out of the Impertinency of the thing, which men are all apt to conclude out of impatiency of diſpatch; or out of Stratagem to make Men Odious (as in this Parliament many forbore to oppoſe unreaſonable reſolutions, out of an opinion that they would make the contrivers Odious) or upon any other (tho' ſeeming never ſo Politick) conſiderations, they conſent not to any Propoſitions, by which Truth or Juſtice are invaded. I am confident, with very good Warrant, that many men have, from their Souls, abhorred every Article of this Rebellion; and heartily deprecated the miſeries, and deſolations we have ſuffer'd by it, who have Themſelves, with great alacrity and induſtry, contributed to, if not Contrived, thoſe very Votes and Concluſions, from whence the Evils they abhor, have moſt naturally and regularly flowed, and been deduced; and which they could not reaſonably, upon their own conceſſions, contradict and oppoſe.

But to conclude, a man ſhall not unprofitably ſpend his contemplation, that, upon this occaſion, conſiders the method of God's Juſtice (a Method terribly remarkable in many Paſſages, and upon many Perſons; which we ſhall be compelled to remember in this diſcourſe) that the Same Principles, and the Same Application of thoſe principles, ſhould be uſed to the wreſting all Sovereign Power from the Crown, which the Crown had a little before made uſe of for the extending its Authority, and Power beyond its bounds, to the prejudice of the Juſt rights of the Subject. A Suppoſed Neceſſity was Then thought ground

enough to create a Power, and a bare Averment of that neceſſity to beget a Practice to impoſe what Tax they thought convenient upon the Subject, by Writs of Ship-Money never before known; and a Suppoſed neceſſity Now, and a bare Averment of that neceſſity, is as confidently, and more Fatally, concluded a good ground to exclude the Crown from the uſe of any Power, by an Ordinance never before heard of; and the ſame Maxim of *Salus Populi Suprema lex*, which had been uſed to the infringing the Liberty of the One, made uſe of for the deſtroying the Rights of the Other: only that of the Pſalmiſt is yet Inverted; for many of thoſe, who were the Principal makers of the firſt Pit, are ſo far from falling into it, that they have been the chiefeſt Diggers of the ſecond Ditch, in which ſo many have been confounded.

Tho' they had yet no real apprehenſion, that the King would be able, in the leaſt degree, to raiſe a Force againſt them, yet they were heartily inraged to find that he lived more like a King, than they wiſhed he ſhould; that there was ſo great reſort to him from all parts; and that whereas little more than two Months before, his own Servants durſt hardly avow the waiting on him, Now the chief Gentlemen of all Counties Travelled to him, to tender their Service, which implied a Diſapprobation at leaſt, if not a Contempt of the two Houſes carriage towards him. Therefore, to prevent this miſchief, they eaſily found exception to, and information againſt, ſome Perſons who had reſorted to *York*; whom they ſent the Serjeant of the Houſe of Commons to apprehend, and bring them before the Houſe as Delinquents, to Anſwer ſuch matters, as ſhould be objected againſt them. In this Number there was one *Beckwith*, a Gentleman of *York-ſhire*, who, as Sir *John Hotham* had ſent them word, had endeavour'd to corrupt ſome Officers of the Garriſon to deliver *Hull* up to the King; this they declar'd to be a very heinous crime, and little leſs than High-Treaſon, and therefore concluded him a Delinquent, and to be ſent for to attend them: it was thought ſtrangely ridiculous by Standers by, that Sir *John Hotham* ſhould be juſtify'd for keeping the Town againſt the King, and another Gentleman be Voted a Delinquent for deſigning to recover it to its Allegiance; and that They, who, but few days before, when the King had ſent a Warrant to require Serjeant-Major *Skippon* to attend his Majeſty at *York*, Reſolved, and publiſhed their Reſolution in Print (as they did all things, which they conceived might diminiſh the Reputation of the King, or his Authority) "that ſuch command "from his Majeſty was againſt the Law of the Land, and the Liberty of the "Subject, and likewiſe (the Perſon being imployed by Them to attend Their "Service) againſt the Priviledge of Parliament; and therefore, that their Ser- "jeant-Major-General of the Forces in *London* (that was his Style) ſhould con- "tinue to attend the Service of both Houſes according to their former Com- "mands; ſhould expect that their Warrant ſhould be ſubmitted to by thoſe, who were waiting on the King, whoſe known legal Authority, ſevered from any thing that might be underſtood to relate to the Parliament, or its Priviledges, they had ſo flatly contradicted and contemned, that the ſame day on which they redeem'd their Officer *Skippon* from his Allegiance, and Duty of going to the King, being informed, that the King had ſent a Writ to Adjourn the Term (Midſummer Term) to *York* from *Weſtminſter*, which without all queſtion was in his power Legally to do, they declared, "that the King's removing of the "Term to *York* from *Weſtminſter*, ſitting the Parliament, was Illegal; and Or- "der'd, "that the Lord Keeper ſhould not iſſue out any Writs, or Seal any "Proclamation, to that purpoſe; which was by him obſerv'd accordingly, notwithſtanding the King's Command for the Adjournment.

When their Officer came to *York* for the apprehenſion of the Delinquents, he found the ſame neglect There of the Parliament, as was found Above of the King; and was ſo ill intreated by thoſe, whom he looked upon as his Priſoners, that, if the King's extraordinary proviſion had not been interpoſed, the Meſſenger would ſcarce have return'd to have reported how uncurrent ſuch Warrants were like to be in *York*, and how perillous ſuch Voyages might prove to the Adventurers: But how amazed, or ſurpriſed ſoever they ſeem'd to be with this new contradiction, it was no more than they looked for; for their Dilemma was, if their Meſſenger return'd with his prize, all the reſort to, and all the glory of *York* was determined: for no Man would repair thither, from whence the bare Voting him a Delinquent would remove him with thoſe other Inconvenient

venient circumſtances of Cenſure, and Impriſonment: if He return'd neglected and affronted, as they preſumed he would, they had a New reproach for the King, " of protecting Delinquents againſt the Juſtice of Parliament; which would be a new breach of their Priviledges, Heinous and Unpopular, as had yet been made, and for the vindication whereof their Proteſtation would no leſs oblige them, than it had done on the behalf of the five Members. And ſuch Votes they paſſed upon the return of their Officer; and had in readineſs prepared two voluminous Declarations to the People, which they publiſhed about the ſame time; the One fill'd with all the reiterated complaints, and invenom'd repetitions, of what Had been done, or been Thought to have been done amiſs in the whole Reign of the King, to render his Perſon odious, or unacceptable; the Other undervaluing his Royal Power, and declaring againſt it, to make his Authority deſpiſed, at leaſt not Fear'd.

The firſt was of the nineteenth of *May*, in which they declar'd,

The Declaration or Remonſtrance of the Lords and Commons, May 19. 1642.

" That the infinite Mercy, and Providence of the Allmighty God had been " abundantly manifeſted, ſince the beginning of this Parliament, in great va- " riety of Protections, and Bleſſings; whereby he had not only deliver'd them " from many wicked Plots and Deſigns, which, if they had taken effect, would " have brought ruin and deſtruction upon the Kingdom; but out of thoſe at- " tempts, had produced divers evident and remarkable advantages, to the fur- " therance of thoſe Services, which they had been deſirous to perform to their " Soveraign Lord the King, and to the Church and State, in providing for the " publick Peace, and proſperity of his Majeſty, and all his Realms; which, in " the preſence of the ſame All-ſeeing Deity, they proteſted to have been, and " ſtill to be, the only End of all their Counſels and Endeavours; wherein they " had reſolved to continue freed, and enlarged from all Private aims, Perſonal " reſpects, or paſſions whatſoever.

" In which reſolution, they ſaid, they were nothing diſcouraged, altho' the " Heads of the Malignant Party diſappointed of their Prey, the Religion and " Liberty of the Kingdom, which they were ready to ſeiſe upon, and devour " before the beginning of this Parliament, had ſtill perſiſted by new Practices, " both of force and ſubtilty, to recover the ſame again; for which purpoſe they " had made ſeveral Attempts for bringing up the Army; they afterwards " projected the falſe accuſation of the Lord *Kimbolton*, and the five Mem- " bers of the Houſe of Commons, which being in its ſelf of an odious na- " ture, they had yet ſo far prevail'd with his Majeſty, as to procure him to take " it upon himſelf; but when the unchangeable Duty and Faithfulneſs of the Par- " liament could not be wrought upon, by ſuch a Fact as that, to withdraw any " part of their Reverence and Obedience from his Majeſty, they had, with much " Art and Induſtry, adviſed his Majeſty to ſuffer divers unjuſt Scandals, and " Imputations upon the Parliament, to be publiſhed in His Name, whereby they " might make it odious to the People, and, by their help, deſtroy that, which " hitherto had been the only means of their own Preſervation.

" For this purpoſe, they had drawn his Majeſty into the Northern Parts, far " from the Parliament; that ſo falſe Rumours might have time to get Credit, and " the juſt Defences of the Parliament find a more tedious, difficult, and diſadvan- " tageous acceſs, after thoſe falſe Imputations and Slanders had been firſt root- " ed in the apprehenſion of his Majeſty, and his Subjects; which the more ſpee- " dily to effect, they had cauſed a Preſs to be tranſported to *York*, from whence " ſeveral Papers, and Writings of that kind were conveyed to all parts of the " Kingdom, without the Authority of the Great Seal, in an Unuſual and Illegal " manner, and without the Advice of his Majeſty's Privy Council; from the " greater and better part whereof having withdrawn himſelf, as well as from " his Great Council of Parliament, he was thereby expoſed to the wicked and " unfaithful Counſels of ſuch, as had made the Wiſdom and Juſtice of the Par- " liament dangerous to themſelves; and that danger they labour'd to prevent by " hiding their own Guilt under the Name, and ſhadow of the King; infuſing in- " to him their own Fears, and, as much as in them lay, aſperſing his Royal Per- " ſon and Honour with their own Infamy; from both which it had allways been " as much the Care, as it was the Duty of the Parliament to preſerve " his Majeſty, and to fix the Guilt of all evil Actions and Counſels upon thoſe, " who had been the Authors of them.

" Among divers Writings of that kind, they ſaid, They the Lords and Com-
" mons in Parliament, had taken into their conſiderations two printed Papers;
" the firſt containing a Declaration, which they had received from his Majeſty,
" in Anſwer to that which had been preſented to his Majeſty from both Houſes
" at *New-Market*, the ninth of *March* 1641. the other, his Majeſty's Anſwer to
" the Petition of both Houſes, preſented to his Majeſty the 26th of *March* 1642.
" Both which were filled with harſh Cenſures, and cauſleſs Charges upon the
" Parliament; concerning which they held it neceſſary to give ſatisfaction to
" the Kingdom; ſeeing they found it very difficult to ſatisfy his Majeſty, whom,
" to their great grief, they had found to be ſo engaged to, and poſſeſſed by thoſe
" miſapprehenſions, which evil Counſellors have wrought in him, that their moſt
" humble and faithful Remonſtrances had rather irritated and imbitter'd, than
" any thing allayed, or mitigated the ſharp Expreſſions, which his Majeſty had
" been pleaſed to make in Anſwer to them; for the manifeſtation whereof, and
" of their own Innocency, they deſired that all his Majeſty's loving Subjects might
" take notice of theſe Particulars:

" They knew no occaſion given by them, which might move his Majeſty to
" tell them, that in their Declaration, preſented at *New-Market*, there were
" ſome Expreſſions different from the uſual Language to Princes: neither did
" they tell his Majeſty, either in Words or in Effect, that if he did not joyn
" with them in an Act, which he conceived might prove prejudicial and dange-
" rous to Himſelf, and the whole Kingdom, they would make a Law without
" him, and impoſe it upon the People. That which they deſired, they ſaid,
" was, that in regard of the Imminent Danger of the Kingdom, the Militia,
" for the ſecurity of his Majeſty and his People, might be put under the Com-
" mand of ſuch noble, and faithful Perſons, as they had all cauſe to Confide
" in: and ſuch was the neceſſity of this Preſervation, that they declared, that
" if his Majeſty ſhould refuſe to joyn with them therein, the two Houſes of Par-
" liament, being the ſupreme Court and higheſt Council of the Kingdom, were
" enabled, by their own Authority, to provide for there pulſing of ſuch Imminent
" and Evident Danger, not by any New Law of their own making, as had been
" untruly ſuggeſted to his Majeſty, but by the moſt Ancient Law of the Kingdom,
" even that which is fundamental and eſſential to the Conſtitution and Subſi-
" ſtence of it.

" Altho' they never deſired, they ſaid, to encourage his Majeſty to ſuch Re-
" plies as might produce any conteſtation between him, and his Parliament, of
" which they never found better effect, than loſs of Time, and hinderance of
" the Publick Affairs; yet they had been far from telling him of how little va-
" lue his Words would be with them, much leſs when they were accompanied
" with Actions of Love, and Juſtice. They ſaid, he had more reaſon to find
" fault with thoſe wicked Counſellors, who had ſo often bereaved Him of the
" Honour, and his People of the Fruit of many gracious Speeches which he had
" made to them, ſuch as thoſe in the end of the laſt Parliament; that, on the
" word of a King, and as he was a Gentleman, he would redreſs the Grievan-
" ces of his People, as well out of Parliament, as in it. They asked, if the
" ſearching the Studies and Chambers, yea, the Pockets of ſome, both of the
" Nobility and Commons, the very next day; the Commitment of Mr. *Bellaſis*,
" Sir *John Hotham*, and Mr. *Crew*; the continued Oppreſſions by Ship-money,
" Coat and Conduct-money; with the manifold Impriſonments, and other Vex-
" ations thereupon, and other enſuing Violations of the Laws and Liberties of
" the Kingdom (all which were the Effects of evil Counſel, and abundantly
" declar'd in their Remonſtrance of the State of the Kingdom) were Actions
" of Love and Juſtice, ſuitable to ſuch Words as thoſe?

" As gracious was his Majeſty's Speech in the beginning of this Parliament;
" that he was reſolved to put himſelf freely and clearly upon the Love, and Af-
" fection of his Engliſh Subjects. They asked whether his cauſleſs Complaints
" and Jealouſies, the unjuſt Imputations ſo often caſt upon his Parliament, his
" denial of their neceſſary Defence by the Ordinance of the Militia, his dange-
" rous abſenting himſelf from his Great Council, like to produce ſuch a miſchie-
" vous Diviſion in the Kingdom, had not been more ſuitable to Other men's evil
" Counſels, than to his own Words? Neither, they ſaid, had his latter Speeches
" been better uſed, and preſerved by thoſe evil, and wicked Counſellors: Could

" any

" any Words be fuller of Love and Juſtice, than thoſe in his Anſwer to the Meſ-
" ſage ſent to the Houſe of Commons, the 31ſt of *December* 1641. We do en-
" gage unto you ſolemnly the Word of a King, that the ſecurity of all, and
" every one of you from Violence, is, and ever ſhall be, as much our Care, as
" the Preſervation of Us and our Children? And could any Actions be fuller
" of Injuſtice and Violence, than that of the Atturney General, in falſly ac-
" cuſing the ſix Members of Parliament, and the other Proceedings thereupon,
" within three or four days after that Meſſage? For the full view whereof,
" they deſired the Declaration made of thoſe Proceedings might be peruſed;
" and by thoſe Inſtances (they could add many more) the World might judge
" who deſerved to be taxed with diſvaluing his Majeſty's Words, they who
" had, as much as in them lay, ſtain'd and ſullied them with ſuch foul Counſels;
" or the Parliament, who had ever manifeſted, with joy and delight, their
" humble Thankfulneſs for thoſe gracious Words, and Actions of Love and
" Juſtice which had been conformable thereunto.

" The King, they ſaid, had been pleaſed to Diſavow the having, any ſuch evil
" Counſel or Counſellors as were mention'd in their Declaration, to his Know-
" ledge; and they held it their Duty humbly to Avow there were ſuch; or elſe
" they muſt ſay, that all the ill things done of late in his Majeſty's name, had been
" done by Himſelf; wherein they ſhould neither follow the Direction of the
" Law, nor the Affection of their own Hearts, which was, as much as might be,
" to clear his Majeſty from all imputation of Miſgovernment, and to lay the
" fault upon his Miniſters. The falſe accuſing of ſix Members of Parliament;
" the juſtifying Mr. Atturney in that falſe accuſation; the violent coming to
" the Houſe of Commons; the denial of the Militia; the ſharp Meſſages to both
" Houſes, contrary to the cuſtoms of former Kings; the long and remote Ab-
" ſence of his Majeſty from Parliament; the heavy and wrongful Taxes upon
" both Houſes; the cheriſhing and countenancing a diſcontented Party in the
" Kingdom againſt them, were certainly the fruits of very evil Counſels, apt
" to put the Kingdom into a Combuſtion, to hinder the ſupplies of *Ireland*, and
" to countenance the Proceedings and pretenſions of the Rebels there: and the
" Authors of theſe evil Counſels, they conceived, muſt needs be known to his
" Majeſty; and they hoped Their labouring with his Majeſty, to have thoſe
" diſcovered and brought to a juſt Cenſure, would not ſo much wound his
" Honour in the opinion of his good Subjects, as His labouring to preſerve and
" conceal them.

" And whereas his Majeſty had ſaid, He could wiſh that his own immediate
" Actions which he avow'd, and his own Honour, might not be ſo roughly cen-
" ſured under the common Style of evil Counſellors; they ſaid, that They could
" alſo heartily wiſh that they had not cauſe to make that Style ſo common; but
" how often, and undutifully ſoever, thoſe wicked Counſellors ſhould fix their
" Diſhonour upon the King, by making his Majeſty the Author of thoſe evil
" Actions, which were the effects of their own evil Counſels, They his Maje-
" ſty's Loyal and Dutiful Subjects could uſe no other Style, according to that
" Maxim of the Law, *the King can do no wrong*; but if any Ill were committed
" in matter of State, the Council; if in matter of Juſtice, the Judges muſt an-
" ſwer for it.

" They ſaid, they had laid no Charge upon his Majeſty, which ſhould put him
" upon that Apology, concerning his faithful and zealous Affection of the Pro-
" teſtant Profeſſion: Neither did his Majeſty endeavour to clear thoſe in great-
" eſt Authority about him, by whom they had ſaid that deſign had been potent-
" ly carried on for divers years; and they rather wiſhed that the Mercies of
" Heaven, than the Judgments, might be manifeſted upon them; but that
" there had been ſuch, there were ſuch plentiful and frequent Evidences, that
" they believed there was none, either Proteſtant or Papiſt, who Had had any
" reaſonable View of the Paſſages of latter times, but, either in Fear or Hope,
" did expect a ſuddain iſſue of that Deſign.

" They ſaid, they had no way tranſgreſſed againſt the Act of Oblivion, by
" remembring the intended War againſt *Scotland*, as a Branch of that Deſign to
" alter Religion by thoſe wicked Counſels, from which God did then deliver
" them, which they ought never to forget.

"That the Rebellion in *Ireland* was framed and cheriſhed by the Popiſh, and "Malignant Party in *England* was not only affirm'd by the Rebels, but, they "ſaid, might be clear'd by many other Proofs: the ſame Rebellious Principles "of pretended Religion, the ſame politick Ends were apparent in both, and "their malicious Deſigns and Practices were maſqued, and diſguiſed with the "ſame falſe colour of their earneſt Zeal to vindicate his Majeſty's Prerogative, "from the ſuppoſed oppreſſion of the Parliament. How much thoſe treache-"rous Pretences had been countenanced, by ſome evil Council about his Majeſty, "might appear in this, that the Proclamation, whereby they were declared "Traitors, was ſo long withheld, as to the ſecond of *January*, tho' the Rebel-"lion broke forth in *October* before, and then no more than forty Copies "appointed to be printed; with a ſpecial Command from his Majeſty not to "exceed that Number; and that none of them ſhould be publiſhed, till his "Majeſty's pleaſure was further ſignify'd, as by the Warrant appears, a true "Copy whereof was annex'd to this Declaration; ſo that a few only could "take notice of it; which was made more obſervable, by the late contrary "Proceedings againſt the Scots, who were in a very quick and ſharp manner "Proclaimed; and thoſe Proclamations forthwith diſperſed, with as much "diligence as might be, throughout all the Kingdom, and order'd to be read "in all Churches, accompanied with Publick Prayers, and Execrations. Ano-"therEvidence of favour and countenance to the Rebels in ſome of Power about "his Majeſty, was this, that they had put forth, in his Majeſty's Name, a cauſe-"leſs complaint againſt the Parliament, which ſpeaks the ſame Language of the "Parliament which the Rebels do, thereby to raiſe a belief in men's minds, that "his Majeſty's Affections were alienated, as well as his Perſon was removed, "from that his Great Council. All which, they ſaid, did exceedingly retard "the ſupplies of *Ireland*, and more advance the Proceedings of the Rebels, than "any Jealouſy or miſapprehenſion begotten in his Subjects, by the Declaration "of the Rebels, Injunction of *Roſetti*, or Information of *Triſtram Whitcomb*; "ſo that, conſidering the preſent State and Temper of both Kingdoms, his Roy-"al Preſence was far more neceſſary here, than it could be in *Ireland*, for re-"demption or protection of his Subjects there.

"And whether there were Cauſe of his Majeſty's great Indignation, for being "reproached to have intended Force or Threatning to the Parliament, they de-"ſired them to conſider who ſhould read their Declaration, in which there was "no word tending to any ſuch reproach; and certainly, they ſaid, they had "been more tender of his Majeſty's Honour in that Point, than he, whoſoever "he was, that did write that Declaration; where, in his Majeſty's Name, he "did call God to witneſs, he never had any ſuch Thought, or knew of any "ſuch Reſolution of bringing up the Army; which truly, they ſaid, would "ſeem ſtrange to thoſe, who ſhould read the Depoſition of Mr. *Goring*, the "Information of Mr. *Piercy*, and divers other Examinations of Mr. *Willmot*, "Mr. *Pollard*, and others; the other Examination of Captain *Leg*, Sir *Jacob* "*Aſhley*, and Sir *John Conyers*; and conſider the condition and nature of the "Petition, which was ſent unto Sir *Jacob Aſhley*, under the approbation of "C. R. which his Majeſty had now acknowledged to be his own Hand; and, "being full of Scandal to the Parliament, might have proved dangerous to the "whole Kingdom, if the Army ſhould have interpoſed betwixt the King and "them, as was deſired.

"They did not affirm, that his Majeſty's Warrant was granted for the Paſſage "of Mr. *Jermyn*, after the deſire of both Houſes for reſtraint of his Servants; but "only that he did paſs over, after that reſtraint, by virtue of ſuch a Warrant. "They knew the Warrant bore date the day before their deſire; yet, they ſaid, "it ſeem'd ſtrange to thoſe, who knew how great reſpect and power Mr. *Jermyn* "had in Court, that he ſhould begin his Journey in ſuch haſt, and in Apparel ſo "unfit for Travel, as a black Sattin Suit, and white Boots, if his going away "was deſign'd the day before.

"The Accuſation of the Lord *Kimbolton*, and the five Members of the Houſe "of Commons, was called a Breach of Priviledge; and truly ſo it was, and a "very high one, far above any ſatisfaction that had been yet given: for, they "asked, how it could be ſaid to be largely ſatisfy'd, ſo long as his Majeſty labour'd "to preſerve Mr. Atturney from puniſhment, who was the viſible Actor in it?

"So

" So long as his Majesty had not only justify'd him, but by his Letter declar'd, " that it was his Duty to accuse them, and that he would have punished him, " if he had Not done it? So long as those Members had not the means of clear- " ing their Innocency, and the Authors of that malicious Charge were undis- " cover'd, tho' both Houses of Parliament had several times Petition'd his " Majesty to discover them, and that not only upon the grounds of Common " Justice, but by Act of Parliament, his Majesty was bound to do it? So long " as the King refused to pass a Bill for their discharge, alledging that the Nar- " rative in that Bill was against his Honour; whereby he seem'd still to avow " the Matter of that false and scandalous Accusation, tho' he deserted the Pro- " secution, offering to pass a Bill for their Acquittal; yet with intimation that " they must desert the avowing their own Innocency, which would more wound " them in Honour, than secure them in Law? And in Vindication of that great " Priviledge of Parliament, they did not know that they had invaded any Privi- " ledge belonging to his Majesty, as had been alledg'd in that Declaration.

" But, they said, they looked not upon that only in the notion of a Breach of " Priviledge, which might be, tho' the Accusation were true or false; but un- " der the notion of a heinous Crime in the Atturney, and all other Subjects, who " had a hand in it; a Crime against the Law of Nature, against the Rules of " Justice; that Innocent men should be charged with so great an offence as Trea- " son, in the face the of highest Judicatory of the Kingdom, whereby their Lives and " Estates, their Blood and Honour were endanger'd, without Witness, with- " out Evidence, without all possibility of Reparation in a legal Course; yet a " Crime of such a nature, that his Majesty's Command can no more warrant, " than it can any other Act of Injustice. These things which were evil in their " own nature, such as a false Testimony or false Accusation, could not be the " subject of any Command, or induce any Obligation of Obedience upon any " man, by any Authority whatsoever: therefore the Atturney, in that case, " was bound to have refused to execute such a Command, unless he had some " such Evidence or Testimony, as might have warranted him against the Par- " ties, and be liable to make satisfaction if it should prove false; and it was " sufficiently known to every man, and adjudged in Parliament, that the King " could be neither the Relator, Informer, or Witness. If it should rest as it " was, without further satisfaction, no future Parliament could be safe, but " that the Members might be taken, and destroy'd, at pleasure; yea the very " principles of Government, and Justice would be in danger to be dissolved.

" They said, they did not conceive, that Numbers did make an Assembly un- " lawful, but when either the end, or manner of their carriage should be un- " lawful. Divers just Occasions might draw the Citizens to *Westminster*; where " many publick and private Petitions, and other Causes were depending in " Parliament; and why that should be found more faulty in the Citizens, than " the resort every day in the Term of great Numbers to the ordinary Courts " of Justice, they knew not: that those Citizens were notoriously provoked, " and assaulted at *Westminster* by Colonel *Lunsford*, Captain *Hyde* and others, " and by some of the Servants of the Arch-Bishop of *York*, was sufficiently pro- " ved; and that afterwards they were more violently wounded, and most bar- " barously mangled with Swords, by the Officers and Soldiers near *White- " Hall*, many of them being without Weapons, and giving no cause of distast, " was likewise proved by several Testimonies; but of any scandalous or seditious " misdemeanours of Theirs, that might give his Majesty good cause to suppose " his own Person, or those of his Royal Consort or Children, to be in apparent " danger, they had no proof ever offer'd to either House; and if there had " been any complaint of that kind, it was no doubt the Houses would have been " as forward to joyn in an Order, for the suppressing of such Tumults, as they " were, not long before, upon another occasion, when they made an Order to " that purpose; whereas those Officers and Soldiers which committed that Vio- " lence upon so many of the Citizens at *White-Hall*, were cherish'd and foster'd in " his Majesty's House; and when, not long after, the Common Council of *London* " presented a Petition to his Majesty, for reparation of those Injuries, his Majesty's " Answer was, without hearing the proof of the Complaints, that if any Citizen " were wounded or ill entreated, his Majesty was confidently assured, that it hap- " pen'd by their own evil, and corrupt Demeanours.

" They ſaid, they hop'd, it could not be thought contrary to the Duty and " Wiſdom of a Parliament, if many concurring, and frequently reiterated, and " renew'd Advertiſements from *Rome*, *Venice*, *Paris*, and other Parts; if the " Sollicitations of the Popes Nuncio, and their own diſcontented Fugitives, did " make them jealous, and watchful for the ſafety of the State: and they had " been very careful to make their expreſſions thereof ſo eaſy, and ſo plain to " the Capacity and Underſtanding of the People, that nothing might juſtly " ſtick with them, with Reflection upon the Perſon of his Majeſty; wherein " they appeal'd to the judgment of any indifferent Perſon, who ſhould read " and peruſe their own words.

" They ſaid, they muſt maintain the ground of their Fears to be of that mo- " ment, that they could not diſcharge the Truſt and Duty that lay upon them, " unleſs they did apply themſelves to the uſe of thoſe means, to which the Law " had enabled them in caſes of that nature, for the neceſſary Defence of the " Kingdom; and as his Majeſty did graciouſly declare, that the Law ſhould be " the meaſure of his Power; ſo did they moſt heartily profeſs, that they ſhould " always make it the Rule of their Obedience. Then they obſerved, that there " were certain Prudent Omiſſions in his Majeſty's Anſwer; and ſaid, that the " next Point of their Declaration, was, with much caution, artificially paſſed " over by him, who drew his Majeſty's Anſwer; it being indeed the Foundation " of all Their miſery, and his Majeſty's trouble, that he was pleaſed to hear " general Taxes upon his Parliament, without any particular Charge, to which " they might give ſatisfaction; and that he had often conceived Diſpleaſure " againſt particular Perſons, upon Miſinformation; and altho' thoſe Informations " had been clearly proved to be falſe, yet he would never bring the Accuſers " to queſtion; which did lay an impoſſibility upon honeſt men of clearing them- " ſelves, and gave an encouragement to falſe, and unworthy Perſons to trouble " him with untrue and groundleſs Informations. Three particulars they had " mention'd in their Declaration, which the Penner of his Majeſty's Anſwer " had good cauſe to omit: the Words ſuppoſed to have been ſpoken at *Ken-* " *ſington*; the pretended Articles againſt the Queen; and the groundleſs Ac- " cuſation of the ſix Members of Parliament; there being nothing to be ſaid in " Defence, or Denial of any of them.

" Concerning his Majeſty's deſire to joyn with his Parliament, and with his " faithful Subjects, in defence of Religion, and the publick Good of the King- " dom, they ſaid, they doubted not he would do it fully, when evil Coun- " ſellors ſhould be removed from about him; and until That ſhould be, as " they had ſhew'd before of Words, ſo muſt they alſo ſay of Laws, that They " could not ſecure them: witneſs the Petition of Right, which had been fol- " lowed with ſuch an Inundation of illegal Taxes, that they had juſt cauſe " to think, that the payment of eight hundred and twenty thouſand " pounds, was an eaſy burthen to the Common-wealth in exchange of " them; and they could not but juſtly think, that if there were a conti- " nuance of ſuch ill Counſellors, and Favour to them, they would, by ſome " wicked Device or other, make the Bill for the Triennial Parliament, and " thoſe other excellent Laws mention'd in his Majeſty's Declaration, of leſs " value than Words. That excellent Bill for the continuance of this Parliament, " they ſaid, was ſo neceſſary, that without it, they could not have raiſed ſo " great Sums of Money for the Service of his Majeſty and the Common-wealth, " as they had done, and without which the ruin, and deſtruction of the King- " dom, muſt needs have follow'd: and, they were reſolved, the gracious fa- " vour of his Majeſty, expreſſed in that Bill, and the advantage and ſecurity " which thereby they had from being Diſſolved, ſhould not encourage them to " do any thing, which otherwiſe had not been fit to have been done. And they " were ready to make it good before all the world, that tho' his Majeſty had paſ- " ſed many Bills very advautageous for the Subject, yet in none of them had they " bereaved his Majeſty of any juſt, neceſſary, or profitable Prerogative of the " Crown

" They ſaid, they ſo earneſtly deſired his Majeſty's Return to *London*, for " that upon it, they conceived, depended the very Safety, and Being of both his " Kingdoms: and therefore they muſt proteſt, that as for the time paſt, neither " the Government of *London*, nor any Laws of the Land, had loſt their Life and

" Force

" Force for his ſecurity, ſo for the Future they ſhould be ready to Do, or Say " any thing might ſtand with the Duty, or Honour of a Parliament which " might raiſe a mutual Confidence between his Majeſty and them, as They did " wiſh, and as the Affairs of the Kingdom did require.

" Thus far, they ſaid, the Anſwer to that, which was called his Majeſty's " Declaration, had led them, Now they came to that, which was entituled " his Majeſty's Anſwer to the Petition of both Houſes, preſented to him at " *York* the 26th of *March* 1642. In the Beginning whereof his Majeſty wiſhed " that their Priviledges on all Parts were ſo ſtated, that That way of Correſ- " pondency might be preſerved with that Freedom, which had been uſed of " old. They ſaid, they knew nothing introduced by them, that gave any Im- " pediment thereunto; neither had they affirm'd their Priviledges to be broken, " when his Majeſty denied them any thing, or gave a Reaſon, why he could " not grant it; or that thoſe, who adviſed ſuch Denial, were Enemies to the " Peace of the Kingdom, and Favourers of the Iriſh Rebellion; in which Aſper- " ſion that was turn'd to a general aſſertion, which in their Votes, was applied " to a Particular caſe; wherefore they muſt maintain their Votes, that to con- " tradict That, which both Houſes, in the Queſtion concerning the Militia, " had declared to be Law, and Command it ſhould not be obeyed, is a high " breach of Priviledge; and that thoſe, who adviſed his Majeſty to abſent him- " ſelf from his Parliament, were enemies to the Peace of the Kingdom, and " juſtly to be ſuſpected to be favourers of the Rebellion in *Ireland*. The reaſons " of both were Evident, becauſe in the Firſt there was as great a derogation " from the Truſt and Authority of Parliament; and, in the Second, as much ad- " vantage to the Proceedings, and hopes of the Rebels as might be; and they " held it a very cauſleſs Imputation upon the Parliament, that they had therein " any way impeached, much leſs taken away the freedom of his Majeſty's Vote; " which did not import a liberty in his Majeſty to deny any thing, how ne- " ceſſary ſoever for the Preſervation of the Kingdom, much leſs a Licence to e- " vil Counſellors, to adviſe any thing, tho' never ſo deſtructive to his Majeſty " and his People.

" By the Meſſage of the twentieth of *January*, his Majeſty had propounded to " both Houſes of Parliament, that they would, with all ſpeed, fall into a ſe- " rious conſideration of all thoſe Particulars, which they thought neceſſary, as " well for the upholding and maintaining of his Majeſty's Juſt and Regal Autho- " rity, and for the ſettling his Revenue, as for the preſent and future eſta- " bliſhing their Priviledges: the free and quiet enjoying their Eſtates; the Li- " berties of their Perſons; the ſecuriry of the true Religion, profeſſed in the " Church of *England*: and the ſettling of Ceremonies in ſuch a manner, as might " take away all juſt Offence, and digeſt it into one entire Body.

" To that Point of upholding, and maintaining his Royal Authority, they " ſaid nothing had been done to the prejudice of it, that ſhould require any " new Proviſion: To the other of ſettling the Revenue, the Parliament had no " way abridg'd, or diſorder'd his juſt Revenue; but it was true that much Waſte " and Confuſion of his Majeſty's Eſtate, had been made by thoſe evil and un- " faithful Miniſters, whom he had imploy'd in the managing of it; whereby " his own ordinary Expences would have been diſappointed, and the ſafety of " the Kingdom more endanger'd, if the Parliament had not, in ſome Meaſure " provided for his Houſhold, and for ſome of the Forts more than they were " bound to do; and they were ſtill willing to ſettle ſuch a Revenue upon his " Majeſty, as might might make him live Royally, Plentifully, and Safely; but " they could not, in wiſdom, and fidelity to the Common-wealth do that, till he " ſhould chooſe ſuch Counſellors and Officers, as might order and diſpoſe it to " the publick Good, and not apply it to the ruin, and deſtruction of his Peo- " ple, as heretofore it had been. But that, and the other matters concerning " themſelves being works of great importance, and full of intricacy, would " require ſo long a time of Deliberation, that the Kingdom might be ruin'd " before they could effect them: Therefore they thought it neceſſary, firſt to " be Suitors to his Majeſty, ſo to order the Militia, that, the Kingdom being " ſecured, they might with more eaſe and ſafety apply themſelves to debate of " that Meſſage wherein they had been interrupted, by his Majeſty's denial of the " Ordinance concerning the ſame; becauſe it would have been in vain for them

" to Labour in other things, and, in the mean time to leave themſelves naked " to the malice of ſo many Enemies, both at home and abroad; yet they had " not been all together negligent of thoſe things, which his Majeſty had been " pleaſed to propound in that Meſſage: They had agreed upon a Book of Rates " in a larger proportion, than had been granted to any of his Majeſty's Prede- " ceſſors, which was a conſiderable ſupport of his Majeſty's publick charge; and " had likewiſe prepared divers Propoſitions, and Bills for preſervation of their " Religion and Liberties, which they intended ſhortly to preſent to his Majeſty " and to do whatſoever was fit for them, to make up that unpleaſant breach " between his Majeſty and the Parliament.

" Whereas divers exceptions had been taken concerning the Militia; " firſt, that his Majeſty never denied the Thing, but accepted the Perſons (ex- " cept for Corporations) only that he denied the Way; to which they An- " ſwer'd, That that Exception took off *London*, and all other great Towns and " Cities which make a great Part of the Kingdom; and for the way of Ordi- " nance, it is Ancient, more ſpeedy, more eaſily alterable, and in all theſe, and " other reſpects, more proper, and more applicable to the preſent occaſion, than " a Bill; which his Majeſty called, the good old way of impoſing upon the " Subjects. It ſhould ſeem that neither his Majeſty's Royal Predeceſſors, nor " their Anceſtors, had heretofore been of that opinion; 37 *Ed.* III. they ſaid " they found this Record, The Chancellor made Declaration of the Challenge " of the Parliament; the King deſires to know the griefs of his Subjects, and to " redreſs Enormities. The laſt Day of the Parliament, the King demanded " of the whole Eſtates, whether they would have ſuch things as they agreed on, " by way of Ordinance or Statute? who Anſwer'd by way of Ordinance, for " that they might amend the ſame at their pleaſures; and ſo it was.

" But his Majeſty objected further, that there was ſomewhat in the Pre- " face, to which he could not conſent with juſtice to his Honour and Innocence; " and that thereby he was Excluded from any Power in the diſpoſing of it. " Theſe objections, they ſaid, might ſeem ſomewhat, but indeed would appear " nothing, when it ſhould be conſider'd, that nothing in the Preamble laid any " charge upon his Majeſty, or in the body of the Ordinance, that excludes his " Royal Authority in the diſpoſing, or execution of it: But only it was provid- " ed, that it ſhould be ſignify'd by both Houſes of Parliament, as that Channel, " through which it would be beſt derived, and moſt certainly to thoſe ends, " for which it was intended; and let all the World judge whether they had " not reaſon to inſiſt upon it, that the ſtrength of the Kingdom ſhould rather " be ordered according to the Advice or Direction of the great Council of the Land " intruſted by the King and by the Kingdom, than that the Safety of the King, " Parliament, and Kingdom, ſhould be left at the devotion of a few unknown " Counſellors, many of them not intruſted at all by the King in any publick way " nor at all Confided in by the Kingdom.

" They wiſhed the Danger were not Imminent, or not ſtill continuing, but " could not conceive, that the long time ſpent in that debate was evidence ſuf- " ficient, that there was no ſuch neceſſity or danger, but a Bill might eaſily have " been prepared; for, when many cauſes do concur to the danger of a State, " the Interruption of any one might hinder the execution of the reſt, and yet " the Deſign be ſtill kept on foot for better opportunities. Who knew, whe- " ther the ill ſucceſs of the Rebels in *Ireland* had not hinder'd the Inſurrection " of the Papiſts here? Whether the preſervation of the ſix Members of the Par- " liament, falſly accuſed, had not prevented that Plot of the breaking the neck " of this Parliament, of which they were informed from *France*, not long before " they were accuſed? Yet ſince his Majeſty had been pleaſed to expreſs his plea- " ſure rather for a Bill, than an Ordinance, and that he ſent in one for that pur- " poſe they readily entertain'd it; and, with ſome ſmall and neceſſary alterations, " ſpeedily paſſed the ſame. But contrary to the Cuſtom of Parliament, and their " expectation, grounded upon his Majeſty's own Invitation of them to that way and " other reaſons manifeſted in their Declaration concerning the Militia, of the " fifth of *May*, inſtead of the Royal Aſſent, they met with an abſolute Refuſal.

" For their Votes of the fifteenth and ſixteenth of *March*, they ſaid, if the " Matter of thoſe Votes were according to Law, they hoped his Majeſty would " allow the Subjects to be bound by them, becauſe he had ſaid, he would make

" the

" the Law the Rule of his power; and if the Queſtion were, whether that were " Law which the Lords and Commons had once declar'd to be ſo, who ſhould " be the judge? Not his Majeſty; for the King judgeth not of Matters of Law " but by his Courts; and his Courts, tho' ſitting by His Authority, expected " not his Aſſent in Matters of Law: nor any other Courts; for they could not " judge in that caſe, becauſe they were Inferiour, no Appeal lying to them from " Parliament, the judgment whereof is, in the eye of the Law, the King's judg- " ment in his higheſt Court, tho' the King in his Perſon be neither preſent, nor " aſſenting thereunto.

" *The Votes at which his Majeſty took exception were theſe:*

1. " That the King's Abſence ſo far remote from his Parliament, was not " only an Obſtruction, but might prove a Deſtruction to the affairs of *Ire-* " *land.*

2. " That when the Lords and Commons ſhall declare what the Law of " the Land is, to have this not only queſtion'd and controverted, but contra- " dicted, and a Command that it ſhould Not be obeyed, was a high Breach of the " Priviledge of Parliament.

3. " That thoſe, Perſons, who adviſed his Majeſty to abſent himſelf from the " Parliament, are Enemies to the Peace of the Kingdom, and juſtly may be ſuſ- " pected to be favourers of the Rebellion in *Ireland.*

" That the Kingdom had been of late, and ſtill was, in ſo Imminent danger, " both from Enemies abroad, and from a Popiſh and Diſcontented Party at home " that there was an urgent, and inevitable neceſſity of putting his Majeſty's " Subjects into a poſture of Defence for the ſafeguard both of his Majeſty, and " his People.

" That the Lords and Commons fully apprehending this Danger, and being ſen- " ſible of their own Duty, to provide a ſuitable Prevention, had, in ſeveral Peti- " tions addreſſed themſelves to his Majeſty for the ordering, and diſpoſing the " Militia of the Kingdom in ſuch a way as was agreed upon by the wiſdom of " both Houſes, to be moſt effectual, and proper for the preſent Exigence of the " Kingdom, yet could not obtain it; but his Majeſty did ſeveral times refuſe " to give his Royal aſſent thereunto.

" That in this caſe of extreme Danger and his Majeſty's Refuſal, the Ordinance " of Parliament, agreed upon by both Houſes for the Militia, doth oblige the " People and ought to be obeyed, by the Fundamental Laws of this Kingdom.

" By all which, they ſaid it did appear, that there had been no colour of that " Tax, that they went about to introduce a new Law, much leſs to excerciſe an " Arbitrary power, but indeed to prevent it: for this Law was as old as the " Kingdom; that the Kingdom muſt not be without a means to preſerve it " ſelf: which that it might be done without confuſion, this nation had in- " truſted certain hands with power to provide in an orderly and regular way, " for the Good and Safety of the Whole: which Power, by the Conſtitution " of the Kingdom, was in his Majeſty, and in his Parliament together: yet ſince " the Prince being but one Perſon, is more ſubject to accidents of Nature and " Chance, whereby the Common-wealth may be deprived of the Fruit of that " Truſt, which was in part repoſed in him; in caſes of ſuch Neceſſity, that the " Kingdom may not be inforced preſently to return to it's firſt Principles, and " every man left to do what is right in his own Eyes, without either Guide or " Rule: the Wiſdom of this State hath intruſted the Houſes of Parliament with " a power to ſupply, what ſhould be wanting on the part of the Prince, as is e- " vident by the conſtant Cuſtom, and Practice thereof, in caſes of Nonage, na- " tural Diſability, and Captivity; and the like reaſon doth and muſt hold for " the exerciſe of the ſame Power in ſuch caſes, where the Royal Truſt cannot " be, or is not diſcharged, and that the Kingdom runs an Evident, and Imminent " Danger thereby; which danger having been declar'd by the Lords and Com- " mons in Parliament, there needs not the Authority of any Perſon or Court " to affirm, nor is it in the power of any Perſon or Court to revoke, that Judg- " ment.

" They ſaid, they knew, the King had ways enough, in his ordinary Courts " of Juſtice, to puniſh ſuch ſeditious Pamphlets and Sermons, as were any ways " prejudicial to his Rights, Honour, and Authority: and if any of them had been " ſo inſolently violated and vilify'd, his Majeſty's own Council and Officers had " been to blame, and not the Parliament: They never had reſtrain'd any pro- " ceedings of that kind in other Courts, nor refuſed any fit complaint to Them. " The Proteſtation proteſted, had been referred by the Commons Houſe to a " Committee, and, the Author being not produced, the Printer committed to " Priſon, and the Book Voted by that Committee to be burn'd; but Sr. *Edward* " *Deering*, who was to make that Report of the Votes of that Committee, ne- " glected to make it. The Apprentices Proteſtation was never complain'd of; " but the other ſeditious Pamphlet, *To your Tents O Iſrael*, was once queſtion'd, " and the full proſecution of it was not interrupted by any fault of either Houſe, " whoſe forwardneſs to do his Majeſty all right therein might plainly appear, " in that a Committee of Lords and Commons was purpoſely appointed, " to take ſuch Informations as the King's Council ſhould preſent concerning ſe- " ditious Words, Practices or Tumults, Pamphlets or Sermons, tending to the " derogation of his Majeſty's Rights or Prerogative, and his Council had been " enjoyn'd by that Committee, to enquire and preſent them; who ſeveral times " met thereupon, and received this Anſwer and Declaration from the King's " Counſel, that they knew of no ſuch thing as yet.

" They ſaid, if his Majeſty had uſed the ſervice of ſuch a One in penning that " Anſwer who underſtood the Laws and Government of this Kingdom, he " would not have thought it Legally in his power to deny his Parliament a Guard " when they ſtood in need of it; ſince every ordinary Court hath it: neither " would his Majeſty, if he had been well informed of the Laws, have refuſed ſuch " a Guard as they deſired, it being in the power of Inferiour Courts to command " their own Guard; neither would he have impoſed upon them ſuch a Guard, " under a Commander which they could not have Confided in; which is clear- " ly againſt the Priviledges of Parliament, and of which they found very dan- " gerous effects; and therefore deſired to have it diſcharged: But ſuch a Guard " and ſo commanded, as the Houſes of Parliament deſired, they could never " obtain of his Majeſty; and the placing a Guard about them, contrary to their " deſire, was not to grant a Guard to them, but in effect to ſet one upon them: " all which conſider'd, they believed, in the Judgment of any Indifferent Per- " ſons, it would not be thought ſtrange, if there were a more than ordinary re- " ſort of People to *Weſtminſter*, of ſuch as came willingly, of their own accord, " to be Witneſſes and Helpers of the ſafety of them, whom all his Majeſty's " good Subjects are bound to defend from Violence, and Danger; or that ſuch " a Concourſe as that (carrying themſelves quietly and Peaceably, as they did) " ought in his Maieſty's apprehenſion, or could, in the Interpretation of the " Law, be held Tumultuary and Seditious.

" They ſaid when his Majeſty, in that Queſtion of Violation of the Laws, had " expreſſed the obſervation of them indefinitely, without any limitation of " Time, altho' they never ſaid, or thought any thing, that might look like a " Reproach to his Majeſty, yet they had reaſon to remember that it had been " otherwiſe, leaſt they ſhould ſeem to deſert their former Complaints, and Pro- " ceedings thereupon, as his Majeſty, did ſeem but little to like or approve " them; for tho he did acknowledge here that great Miſchief, that grew by " that Arbitrary Power then complain'd of; yet ſuch were coutinually prefer- " ed and countenanced, as were Friends, or Favourers, or Relaters to the chief " Authors and Actors of that Arbitrary Power, and, of thoſe falſe colours, and " ſuggeſtions of Imminent danger and neceſſity, whereby they did make it plau- " ſible unto his Majeſty: and on the other ſide, ſuch as did appear againſt them " were daily diſcountenanced, and diſgraced: which whilſt it ſhould be ſo, they " had no reaſon to believe the diſeaſe to be yet killed, and dead at Root, and " therefore no Reaſon to bury it in Oblivion; and, whilſt they beheld the Spawns " of thoſe miſchievous Principles cheriſhed, and foſter'd in that new generati- " on of Counſellors, Friends and Abettors of the former, or at leaſt Concurring " with them in their Malignancy againſt the Proceeding of this Parliament, they " could not think themſelves ſecure from the like, or a worſe danger.

" They

" They obſerved, the Penner of his Majeſty's Anſwer beſtowed here an ad-
" monition upon the Parliament, bidding them take heed They fell not upon
" the ſame errour, upon the ſame ſuggeſtions; but, they ſaid he might well have
" ſpared that, till he could have ſhewed wherein they had exerciſed any Power,
" otherwiſe than by the Rule of the Law; or could have found a more Authen-
" tick, or a Higher Judge in matters of Law, than the high Court of Parliament.

" It was declared, in his Majeſty's Name, that he reſolved to keep the Rule
" Himſelf, and, to his power, to require the ſame of all others. They ſaid, they
" muſt needs acknowledge, that ſuch a reſolution was like to bring much happi-
" neſs, and bleſſing to his Majeſty, and all his Kingdoms; yet, with humility,
" they muſt confeſs, they had not the Fruit of it in that Caſe of the Lord *Kim-*
" *bolton*, and the other five Members, accuſed contrary to Law, both Common
" and the Statute Law; and yet remained unſatisfy'd: which caſe had been re-
" membred, in their Declaration, as a ſtrange and unheard of Violation of their
" Laws: But the Penner of that Anſwer thought fit to paſs it over, hoping that
" many would read his Majeſty's Anſwer, which had been ſo carefully diſperſed
" who would not read their Declaration.

" Whereas, after their ample thanks, and acknowledgment of his Majeſty's
" favour in paſſing many good Bills, they had ſaid, that truth and neceſſity infor-
" ced them to add this, that in, or about the time of Paſſing thoſe Bills, ſome
" Deſign or other had been on foot, which, if it had taken effect, would not
" only have deprived them of the Fruit of thoſe Bills, but would have reduced
" them to a worſe condition of confuſion, than that wherein the Parliament found
" them: it was now told them, that the King muſt be moſt ſenſible of what
" they had caſt upon him for the requital of thoſe good Bills; whereas out of their
" uſual tenderneſs of His Majeſty's honour, they did not mention Him at all; but
" ſo injurious, they ſaid, were thoſe wicked Councellors to the Name and Ho-
" nour of their Maſter and Sovereign, that as much as they could, they laid their
" own Infamy and guilt upon His Shoulders.

" Here they obſerved, God alſo was called to witneſs his Majeſty's upright in-
" tentions at the paſſing of thoſe Laws; which they ſaid they would not queſti-
" on, neither did they give any occaſion for ſuch a ſolemn Aſſeveration, as that
" was: the Devil was likewiſe defied to prove there was any deſign, with his
" Majeſty's knowledge or privity. That might well have been ſpared; for they
" ſpeak nothing of his Majeſty: but ſince they were ſo far taxed, as to have it
" affirmed, that they had laid a falſe and notorious Imputation upon his Ma-
" jeſty, they thought it neceſſary, for the juſt Defence of their own Innocen-
" cy to cauſe the Oaths and Examinations, which had been taken, concerning
" the Deſign, to be publiſhed in a full Narration, for ſatisfaction of all his Ma-
" jeſty's Subjects, out of which they would now offer ſome few Particulars, by
" which the world might judge, whether they could proceed with more tenderneſs
" towards his Majeſty than they had done. Mr. *Goring* confeſſed that the King
" firſt asked him, whether he were engaged in any Cabal concerning the Army?
" and commanded him to joyn with Mr. *Percy*, and Mr. *Jermyn*, and ſome o-
" thers whom they ſhould find at Mr. *Percy's* Chamber; where they took the Oath
" of Secrecy, and then debated of a deſign propoſed by Mr. *Jermyn*, to ſecure
" the Tower and to conſider of bringing up the Army to *London*: and Captain
" *Leg* confeſſed, he had received the draught of a Petition, in the Kings Preſence
" and his Majeſty acknowledgeth, it was from his own Hand: and whoſoever
" reads the Sum of that Petition, as it was proved by the Teſtimony of Sr. *Ja-*
" *cob Aſhley*, Sir. *John Conyers*, and Captain *Leg* will eaſily perceive ſome Points
" in it, apt to beget in them ſome Diſcontents againſt the Parliament. And
" could any Man believe there was no Deſign in the Accuſation of the Lord
" *Kimbolton*, and the reſt, in which his Majeſty doth avow himſelf to be both a
" Commander and an Actor? Theſe things being ſo, it would eaſily appear to
" be as much againſt the Rules of Prudence, that the Penner of that Anſwer
" ſhould entangle his Majeſty in that unneceſſary Apology, as it was againſt the
" Rules of Juſtice that any Reparation from Them ſhould be either yielded, or
" demanded.

" It was profeſſed, in his Majeſty's Name, that he is truly ſenſible of the Burthens
" of his People; which made them hope that he would take that courſe, which
" would be moſt effectual to eaſe them of thoſe burthens, that was, to joyn with

" his Parliment in preſerving the Peace of the Kingdom, which, by his Abſence " from them, had been much endanger'd; and which, by hindring the Voluntary " Adventures for the recovery of *Ireland*, and diſabling the Subjects to diſcharge " the great Tax impoſed on them, was like to make the War much more hea- " vy to the Kingdom. And for his Majeſty's Wants the Parliament had been " no cauſe of them; They had not diminiſhed his Juſt Revenue, but had much " eaſed his Publick Charge, and ſomewhat his Private; and they ſhould be rea- " dy in a Parliamentary way, to ſettle his Revenue in ſuch an honourable " proportion, as might be anſwerable to both, when he ſhould put himſelf into " ſuch a Poſture of Government, that his Subjects might be ſecure to enjoy his " Juſt Protection for their Religion, Laws and Liberties.

" They ſaid, they never refuſed his Majeſtys gracious offer, of a Free and ge- " neral Pardon, only they ſaid it could be no ſecurity to their preſent Fears and " Jealouſies: and they gave a Reaſon for it: that thoſe Fears did not ariſe " out of any Guilt of their own Actions, but out of the evil deſigns and At- " tempts of others; and they left the world to judge, whether They therein had " deſerved ſo heavy a Tax and Exclamation? (That it was a ſtrange world, " when Princes proffer'd Favours were counted Reproaches: ſuch were the " words of his Majeſty's Anſwer) who did eſteem that offer as an act of Prince- " ly Grace and Bounty, which ſince the Parliament begun, they had humbly de- " ſired they might obtain, and did ſtill hold it very neceſſary, and advantageous " for the generality of the Subject, upon whom the Taxes and Subſidies lie hea- " vieſt: but, they ſaid, they ſaw, upon every occaſion, how unhappy they were " in his Majeſty's miſapprehenſions of their Words and Actions.

" They ſaid they were fully of the King's mind, as it was there declared, that he " might reſt ſo ſecure of the Affections of his Subjects that he ſhould not ſtand in " need of Forreign Force to preſerve him from Oppreſſion; and were confident " that he ſhould never want an abundant evidence of the good Wiſhes and Aſſiſt- " ance of his whole Kingdom; eſpecially if he would be pleaſed to hold to that " gracious Reſolution of building upon that ſure Foundation, the Law of the " Land; but why his Majeſty ſhould take it ill, that they, having received In- " formations ſo deeply concerning the ſafety of the Kingdom, ſhould think them " fit to be conſider'd of they could not conceive; for altho' the Name of the " Perſon was unknown, yet that which was more ſubſtantial to the Probabili- " ty of the Report was known, that is, that he was ſervant to the Lord *Digby*; " who, in his preſumptuous Letter to the Queen's Majeſty, and other Letters to " Sr. *Lewis Dives*, had intimated ſome wicked Propoſition, ſuitable to that In- " formation; but that this ſhould require Reparation, they held it as far from " Juſtice as it was from Truth that they had mixed any Malice with thoſe Ru- " mours, thereby to feed the Fears and Jealouſies of the People.

" It was affirmed, that his Majeſty was driven from them, but not by them; " yet perchance they ſaid, hereafter if there ſhould be opportunity of gaining " more credit, there would not be wanting who would ſuggeſt unto his Majeſty " that it was done by them: and if his Majeſty were driven from them, they " hoped it was not by his own Fears, but by the Fears of the Lord *Dig-* " *by*, and his Retinue of Cavaliers; and thoſe no Fears of any Tumultuary vio- " lence but of their juſt puniſhment for their manifold inſolence, and intended " violence againſt the Parliament: And this was expreſſed by the Lord *Digby* " himſelf when he told thoſe Cavaliers, that the principal cauſe of his Majeſty's " going out of Town, was to ſave them from being trampled in the Dirt: but " of his Majeſty's Perſon, there was no cauſe of Fear; in the Greateſt heat of the " Peoples Indignation, after the Accuſation and his Majeſty's violent coming " to the Houſe, there was no ſhew of any evil Intention againſt his Regal Per- " ſon; of which there could be no better Evidence than this, that he came the " next day without a Guard into the City, where he heard nothing but Prayers " and Petitions, no Threatnings, or irreverent Speeches, that might give him " any juſt occaſions of Fear, that They had heard of, or that his Majeſty expreſ- " ſed; for he ſtaid near a Week after at *White-Hall* in a ſecure and peaceable con- " dition: whereby they were induced to believe, that there was no difficulty " or doubt at all, but his Majeſty's reſidence near *London* might be as ſafe, as in " any Part of the Kingdom. They ſaid they were moſt aſſured of the " faithfulneſs of the City, and Suburbs; and for Themſelves, they ſhould quic-

" ken

" ken the Vigour of the Laws,and Induſtry of the Magiſtrate, the Authority of " Parliament, for the ſuppreſſing of all Tumultuary inſolency whatſoever, " and for vindicating of his Honour from all inſupportable and inſolent Scan- " dals, if any ſuch ſhall be fouud to be raiſed upon him, as were mentioned in " that Anſwer; and therefore they thought it altogether unneceſſary, and ex- " ceeding inconvenient to Adjourn the Parliament to any other place.

" Where the deſire of a good underſtanding betwixt the King and Parlia- " ment, was on both ſides ſo earneſt, as was there profeſſed by his Majeſty to be " in Him,and they had ſufficiently teſtify'd to be in Themſelves, it ſeem'd ſtrange " they ſhould be, they ſaid, ſo long aſunder; it could be nothing elſe but evil " and malicious Counſel in miſrepreſenting their Carriage to his Majeſty, and " in diſpoſing his favour to Them. And as it ſhould be far from them to take " any advantage of his Majeſty's ſuppoſed ſtreights, as to deſire, much leſs to " Compel him to that, which his Honour or Intereſt might render unpleaſant, " or grievous to him; ſo they hoped his Majeſty would not make his own un- " derſtanding or Reaſon the Rule of his Government; but would ſuffer himſelf " to be aſſiſted with a wiſe and prudent Council, that might deal faithfully " betwixt him and his People: and that he would remember, that His Reſo- " lutions did concern Kingdoms; and therefore ought not to be molded by his " own, much leſs by any Private Perſon, which was not alike proportionable to " ſo great a Truſt: And therefore they ſtill deſired and hoped that his Majeſty " would not be guided by his own underſtanding, or think thoſe courſes " Streights and Neceſſities to which he ſhould be adviſed by the Wiſdom of both " Houſes of Parliament, which are the Eyes in the Politick Body, whereby his " Majeſty was, by the Conſtitution of the Kingdom, to diſcern the differences " of thoſe things which concern the Publick Peace and Safety thereof.

" They ſaid, they had given his Majeſty no cauſe to ſay, that they did mean- " ly value the diſcharge of his publick duty: whatſoever Acts of Grace or Ju- " ſtice had been done, they proceeded from his Majeſty by the Advice and Coun- " ſel of his Parliament, yet they had, and ſhould allways Anſwer them with con- " ſtant gratitude, and obedience, and affection; and altho' many things had been " done, ſince this Parliament, of another nature, yet they ſhould not ceaſe to " deſire the continued Protection of Allmighty God upon his Majeſty, and moſt " humbly Petition him to caſt from him all thoſe evil, and contrary Counſels, " which had in Many Particulars formerly mention'd, much detracted from the " Honour of his Government, the Happineſs of his own Eſtate and proſperity of " his People.

" And having paſſed ſo many Dangers from abroad, ſo many Conſpiracies at " home, and brought on the Publick Work ſo far through the greateſt difficulties " that ever ſtood in oppoſition to a Parliament, to ſuch a Degree of ſucceſs, that " nothing ſeem'd to be left in the way, able to hinder the full Accompliſhment " of their Deſires and Endeavours for the publick Good, unleſs God in his Ju- " ſtice did ſend a grievous curſe upon them, as to turn the ſtrength of the King- " dom againſt it ſelf, and to effect that by their own Folly aud Credulity, which " the Power and Subtilty of their Enemies could not attain, that was, to divide " the People from the Parliament, and to make them ſerviceable to the Ends " and Aims of thoſe who would deſtroy them: Therefore they deſired the King- " dom, to take notcie of that laſt moſt deſperate, and miſchievous Plot of the " Malignant Party that was acted and Proſecuted in many Parts of the Kingdom, " under plauſible notions of ſtirring them up to a care of preſerving the " King's Prerogative; maintaining the Diſcipline of the Church; upholding and " continuing the Reverence, and Solemnity of God's Service; and encouraging " of Learning: and, upon thoſe grounds, divers mutinous Petitions had been " framed in *London*, *Kent*, and other Counties; and ſundry of his Majeſty's Subjects, " had been ſollicited to declare themſelves for the King againſt the Parliament; and " many falſe and foul Aſperſions had been caſt upon their Proceedings, as if they " had been not only negligent, but averſe in thoſe Points; whereas they deſired " nothing more, than to mintain the Purity and power of Religion, and honour the " King in all his juſt Prerogatives; and for encouragement and advancement of " Piety and Learning, they had very earneſtly endeavoured, and ſtill did, to the " utmoſt of their power, that all Pariſhes might have Learned, Pious, and Suffici- " ent Preachers, and all ſuch Preachers competent Livings.

" Many other Bills and Propoſitions, they ſaid were in preparation, for the " King's profit and honour, the Peoples ſafety and proſperity; in the proceedings " whereof they were much hindered by his Majeſty's Abſence from the Parlia- " ment; which was alltogether contrary to the Uſe of his Predeceſſors, and the " Priviledge of Parliament, whereby their Time was conſumed by a multitude " of unneceſſary Meſſages, and their Innocency wounded by cauſleſs and ſharp " Invectives; yet they doubted not but they ſhould overcome all this at laſt, " if the People ſuffer not themſelves to be deluded with falſe and ſpecious ſhews, " and ſo drawn to betray Them to their own undoing, who had ever been willing " to hazard the undoing of themſelves, that They might not be betrayed, by " their neglect of the Truſt repoſed in them: But if it were not poſſible they " ſhould prevail herein, yet they would not fail, through God's Grace ſtill to " perſiſt in their Duties, and to look beyond their own Lives, Eſtates, and Ad- " vantages, as thoſe who think nothing worth the enjoying without the Liberty, " Peace, and Safety of the Kingdom; nor any thing too good to be hazarded, " in diſcharge of their Conſciences, for the obtaining of it: And ſhould allways " repoſe themſelves upon the Protection of Allmighty God, which, they were " confident, ſhould never be wanting to them (while they ſought His Glory) as " they had found it, hitherto, wonderfully going along with them in all their " Proceedings.

" With this Declaration they publiſh'd the Examinations of Mr. *Goring*, Mr. *Percy*'s Letter to the Earl of *Northumberland*; which were the great Evidence they had of the Plot of bringing up the Army, to awe the Parliament; and ſeveral other Letters and Depoſitions or rather ſuch parts of Depoſitions, as contributed moſt to their purpoſe. For the truth is, as they never publiſhed, ſo much as to the Houſes which were to Judge, many Depoſitions of Witneſſes, whoſe Teſtimonies, in a manner vindicated the King from thoſe Aſperſions, which they had a mind ſhould ſtick upon him (for many ſuch there were) ſo of thoſe which they did publiſh, they left out many Parts, which, being added, would either have obſcured, or contradicted, or diſcredited much of that, out of which they made the People believe much to the Kings diſſervice. And yet with all thoſe ill Arts and Omiſſions, I preſume many who without paſſion do now read thoſe Depoſitions (for they are in all hands to be read) do much marvel, how ſuch concluſions could reſult to his Majeſty's diſadvantage, out of the worſt part of all that Evidence; which could not naturally, carry that ſenſe to which it was wreſted.

About this time (which I ſhall mention before the other Declaration, becauſe it interven'd) there happen'd an Accident that gave them much Trouble, and the more, becauſe unlooked for, by the Lord Keepers quitting them and reſorting to *York*, by which the King got the poſſeſſion of his own Great Seal; which by all Parties was; at that time, thought a moſt conſiderable advantage. The King was very much unſatisfied with the Lord Keeper *Littleton*; who did not appear ſo uſeful for his Service as he expected, and, from the time of the Accuſing the Members, had loſt all his Vigour, and inſtead of making any oppoſitions to any of their extravagant Debates, he had ſilently ſuffer'd all things to be carried; and had not only declined the performing the Office the King had enjoyn'd him, with reference to the Earls of *Eſſex* and *Holland* (before mentioned) but very much complied with, and courted that Party of both Houſes, which frequently reſorted to him; and of late in a queſtion, which had been put in the Houſe of Peers, in the point of the Militia he had given his Vote both againſt the King and the Law, to the Infinite offence and Scandal of all thoſe, who adhered to the King.

He was a man of great reputation in the Profeſſion of the Law: for Learning and all other advantages, which attend the moſt Eminent Men he was of a very good extraction in *Shrop-ſhire*, and inherited a fair Fortune, and Inheritance from his Father; he was a handſome, and a proper Man, of a very graceful Preſence, and notorious for Courage, which, in his Youth, he had manifeſted with his Sword; he had taken great pains in the hardeſt, and moſt knotty part of the Law, as well as that which was more cuſtomary, and was not only very ready and expert in the Books, but exceedingly verſed in Records, in ſtudying and examining whereof, he had kept Mr. *Selden* company, with whom he had great friendſhip, and who had much aſſiſted him; ſo that he was looked upon the beſt Antiquary of the profeſſion, who gave himſelf up to Practice; and

and upon the meer ſtrength of his own abilities, he had raiſed himſelf into the firſt rank of the Practicers in the Common Law Courts, and was choſen Recorder of *London* before he was called to the Bench, and grew preſently into the higheſt Practice in all the other Courts, as well as thoſe of the Law. When the King looked more narrowly into his buſineſs, and found that he ſhould have much to do in *Weſtminſter-Hall*, he removed an old, uſeleſs, illiterate Perſon, who had been put into that Office by the favour of the Duke of *Buckingham*, and made *Littleton* his Sollicitor General, much to his Honour, but not to his Profit; the obligation of Attendance upon that Office, depriving him of much benefit he uſed to acquire by his Practice, before he had that relation. Upon the death of my Lord *Coventry*, *Finch* being made Keeper, he was made Chief Juſtice of the Common Pleas, Then the beſt Office of the Law, and that which he was wont to ſay, in his higheſt Ambition in his own private wiſhes he had moſt deſired; and it was indeed the Sphere, in which he moved moſt gracefully, and with moſt advantage, being a maſter of all that Learning and knowledge which that Place required, and an excellent Judge, of great Gravity, and above all ſuſpicion of Corruption.

Whilſt he held this place, he was by the favour of the Arch-Biſhop of *Canterbury*, and the Earl of *Strafford*, who had a great eſteem of him, recommended to the King to be called to the Council Table, where he kept up his good name; and, upon the Lord *Finch*'s leaving the Kingdom, in the beginning of the Parliament, he was thought, in many reſpects, to be the fitteſt to be entruſted in that Office; and upon the deſire of the Earl of *Strafford* after he was in the Tower, was created a Baron out of expectation that, by his Authority and knowledge of the Law he would have been of great uſe in reſtraining thoſe extraordinary, and unwarrantable Proceedings; but, from the time he had the Great Seal, he ſeem'd to be out of his Element, and in ſome perplexity and irreſolution in the Chancery it ſelf, tho' he had great experience in the practice, and proceedings of that Court; and made not that diſpatch, that was expected, at the Council Table; and in the Parliament he did not preſerve any dignity; and appear'd ſo totally diſpirited, that few men ſhewed any reſpect to him, but they who moſt oppoſed the King, who indeed did exceedingly apply themſelves to him, and were with equal kindneſs received by him. This wonderful alteration in him, his Friends believed to have proceeded from a great ſickneſs, which had ſeiſed upon him quickly after he was created a Baron, inſomuch as every Man believed he would die; and by this means he did not attend the Houſe in ſome Months; and ſo perform'd none of thoſe Offices toward the Earl of *Strafford*, the expectation whereof had been the ſole Motive to that promotion: From that time he never did appear the ſame Man; but ſure there were Other cauſes for it, and he was poſſeſſed with ſome melancholy apprehenſions, which he could not maſter, and had no Friend to whom he durſt entirely communicate them.

Mr. *Hyde*, one of thoſe who was moſt truſted by the King in the Houſe of Commons, and had allways had a great reſpect for the Keeper, was as much troubled at his behaviour, as any Man; and uſing frequently to go to him, went upon that occaſion; and, with great freedom and plaineſs, told him, "how much he had "loſt the eſteem of all Good men, and that the King could not but be exceeding-"ly diſſatisfy'd with him; and diſcourſed over the Matter of that Vote. Tho' He did not know, that the King did at that time put ſo great a ſecret Truſt in Mr. *Hyde*, yet he knew very well that the King had a very good opinion of him, and had heard his Majeſty often from the beginning of the Parliament, when the diſcourſe happen'd to be of the Lawyers of the Houſe, take an occaſion from thence to mention Mr. *Hyde* as a man of whom he heard very well; which the Keeper had many times taken notice of to him; and then he knew the Friendſhip that was between the Lord *Falkland* and Mr. *Hyde*, and had heard the many Jealouſies which were contracted upon the great communication he had with the two new Counſellors; and ſo no doubt believed, that he knew much of the King's mind. So that aſſoon as he had enter'd upon this diſcourſe, which he heard with all attention (they being by themſelves in his Study, at *Exeter* Houſe) He roſe from his Chair, and went to the Door; aud finding ſome Perſons in the next Room, he bad them to withdraw; and locking both the Door of that Room, and of his Study, he ſat down himſelf, and making Mr. *Hyde* ſit down too, he begun, "with giving him many thanks for his friendſhip to him, which, he ſaid, "he had ever eſteem'd, and he could not more manifeſt the eſteem he had of it

" and Him, than by uſing that freedom again with him, which he meant to do. " Then he lamented his own condition; and that he had been prefer'd from the " Common Pleas where he knew both the Buſineſs, and the Perſons he had to " deal with, to the other high Office he now held, which obliged him to converſe " and tranſact with another ſort of Men, who were not known to him, and in " affairs which he underſtood not, and had not one Friend among them, with " whom he could confer upon any doubt, which occurred to him.

He ſpoke then of the unhappy ſtate and condition of the King's buſineſs; how much he had been, and was ſtill, betrayed by Perſons who were about him; and with all poſſible indignation againſt the proceedings of the Parliment; and ſaid, " they would never do This, if they were not reſolved to do More: that " he knew the King too well, and obſerved the carriage of particular Men too " much, and the whole current of Publick Tranſactions theſe laſt five or ſix Months, " not to foreſee that it could not be long, before there would be a War be- " tween the King and the two Houſes; and of the importance, in that Sea- " ſon, that the Great Seal ſhould be with the King. Then he fell into many expreſſions of his Duty and Affection to the King's Perſon, as well as to his high Degree; " and that no man ſhould be more ready, to periſh with, and " for his Majeſty, than He would be; that the proſpect he had of this neceſſity " had made him carry himſelf towards that Party with ſo much complyance, " that he might be gracious with them, at leaſt, that they might have no Di- " ſtruſt of him; which, he knew, many had endeavoured to infuſe into them; " and that there had been a conſultation within few days, whether in regard " he might be ſent for by the King, or that the Seal might be taken from him, " it would not be beſt to appoint the Seal to be kept in ſome ſuch ſecure place, " as that there might be no danger of looſing it; and that the Keeper ſhould " allways receive it, for the execution of his Office; they having no purpoſe " to diſoblige Him. And the knowledge he had of this conſultation, " and fear he had of the execution of it, had been the reaſon, why in " the late debate upon the Militia, he had given his Vote in ſuch a manner, as, " he knew, would make very ill impreſſions with the King, and many others " who did not know him very well; but that, if he had not, in that Point, ſub- " mitted to their opinion, the Seal had been taken from him that Night; where- " as by this compliance in that Vote, which could only prejudice Himſelf, and " not the King, he had gotten ſo much into their confidence, that he ſhould be " able to preſerve the Seal in his own Hands, till the King required it; and " then he would be as ready to attend his Majeſty with it.

Mr. *Hyde* was very well pleaſed with this diſcourſe; and asked him, " whe- " ther he would give him leave, when there ſhould be a fit occaſion, to aſſure " the King, that he would perform this Service, when the King ſhould re- " quire it? He deſired, " that he would do ſo, and paſs his Word for the " performance of it, aſſoon as his Majeſty pleaſed; and ſo they parted.

It was within very few days after, that the King, exceedingly diſpleaſed and provoked with the Keepers behaviour, ſent an Order to the Lord *Falkland*, " to " require the Seal from him; in which the King was very poſitive, tho' he was not reſolved to what hand to commit it. His Majeſty wiſhed them (for he all- ways included the other Two in ſuch references) to conſider, " whether he " ſhould give it to the Lord Chief Juſtice *Banks* (againſt whom he made ſome objection himſelf)" or into the hands of Mr. *Selden*; and to ſend their opinions to him. The Order was poſitive for requiring it from the preſent Officer, but they knew not who to adviſe for a Succeſſor. The Lord Chief Juſtice *Banks* appeared to be as much afraid, as the other; and not thought equal to that Charge, in a time of ſo much diſorder; tho' otherwiſe he was a Man of great abilities, and unblemiſhed integrity; they did not doubt of Mr *Selden*'s Affection to the King, but withal they knew him ſo well, that they concluded he would abſolutely refuſe the place, if it were offer'd to him. He was in Years, and of a tender conſtitution; he had for many Years enjoyed his eaſe, which he loved; was rich; and would not have made a Journey to *York*, or have layn out of his own bed, for any Preferment; which he had never affected.

Being all Three of one mind, that it would not be fit to offer it to the one or the other; hereupon Mr *Hyde* told them the conference he had with the Keeper, and the profeſſions he had made; and was very confident, that he would very punctually perform it; and therefore propoſed, that " they might, with their

" their Opinions of the other Perſons, likewiſe adviſe his Majeſty to ſuſpend his " reſolution concerning the Lord Keeper, and rather to write kindly to him, " to bring the Seal to his Majeſty, inſtead of ſending for the Seal it ſelf, and caſt him off; and offer'd to venture his own credit with the King, that the Keeper would comply with his Majeſty's commands. Neither of them were of his opinion; and had both no eſteem of the Keeper, nor believed, that he would go to his Majeſty, if he were ſent for, but that he would find ſome trick to excuſe himſelf; and therefore were not willing, that Mr. *Hyde* ſhould venture his Reputation upon it. He deſired them then " to conſider how abſolutely neceſſary it " was, that the King ſhould firſt reſolve into what hand to put the Seal, before " he removed it; for that it could not be unimployed one hour, but that the " whole Juſtice of the Kingdom would be out of order, and draw a greater and " a juſter clamour, than had been yet: That there was as much care to be taken, " that it ſhould not be in the power of any man to refuſe it; which would be yet " more prejudicial to his Majeſty. He deſired them above all, to weigh well, " that the buſineſs conſiſted only in having the Great Seal in the place, where " his Majeſty reſolved to be; aud if the Keeper would keep his promiſe, and de- " ſired to ſerve the King, it would be unqueſtionably the beſt way, that He and " the Seal were both there: if, on the other ſide, he were not an honeſt Man, " and cared not for offending the King, he would then refuſe to deliver it; and " inform the Lords of it; who would juſtify him for his diſobedience, and re- " ward and cheriſh him; and he muſt then hereafter ſerve Their turn; the miſ- " chief whereof would be greater, than could be eaſily imagined: and his Ma- " jeſty's own Great Seal ſhould be every day uſed againſt him, nor would it be " poſſible in many Months to procure a new one to be made.

Theſe objections appear'd of weight to them; and they reſolved to give an Account of the whole to the King, and to expect his Order: and both the Lord *Falkland*, and Mr. *Hyde*, writ to his Majeſty, and ſent their Letters away that very Night. The King was ſatisfy'd with the Reaſons, and was very glad that Mr. *Hyde*, was ſo confident of the Keeper; tho', he ſaid, " he remain'd ſtill in doubt; and reſolved that he would, ſuch a day of the Week following, ſend for the Keeper aud the Seal; and that it ſhould be, as had been adviſed, upon a *Saturday* afternoon, aſſoon as the Houſe of Lords ſhould riſe; becauſe then no notice could be taken of it till *Monday*. Mr. *Hyde*, who had continued to ſee the Keeper frequently, and was confirmed in his confidence of his integrity, went now to him; and finding him firm to his reſolution, and of opinion, in regard of the high proceedings of the Houſes, that it ſhould not be long defer'd; he told him, " that he might expect a Meſſenger the next Week, and that he ſhould " once more ſee him, when he would tell him the Day; and that he would then " go himſelf away before him to *York*; with which he was much pleaſed, and it " was agreed between the Three, that it was now time, that he ſhould be gone (the King having ſent for him ſome time before) after a day or two; in which time the Declaration of the nineteenth of *May* would be paſſed.

On the *Saturday* following, between two and three of the Clock in the Afternoon, Mr. *Elliot*, a Groom of the Bed-Chamber to the Prince, came to the Keeper, and found him alone in the Room where he uſed to ſit, and deliver'd him a Letter from the King in his own hand; wherein he required him, with many expreſſions of kindneſs and eſteem, " to make haſte to him; and if his indiſpoſition (for he was often troubled with gravel and ſharpneſs of Urine) " would not " ſuffer him to make ſuch haſte upon the Journey, as the occaſion required, that " he ſhould deliver the Seal to the Perſon, who gave him the Letter; who, be- " ing a ſtrong young Man, would make ſuch haſte as was neceſſary; and that he " might make his own Journey, by thoſe degrees which his Health required.

The Keeper was ſurpriſed with the Meſſenger, whom he did not like, and more when he found that he knew the contents of the Letter, which he hoped, would not have been communicated to any Man, who ſhould be ſent: He Anſwer'd him with much reſervation, and when the other with bluntneſs, as he was no polite Man, demanded the Seal of him, which he had no thought of putting out of his own hands; he Anſwer'd him, " that he would not deliver it in- " to any hands, but the King's; but preſently recollecting himſelf, and looking over his Letter again, he quickly conſider'd, that it would be hazardous to carry the Seal himſelf ſuch a Journey; and that if by any purſuit of him, which he could not but ſuſpect, he ſhould be ſeiſed upon, the King would be

very unhappily disappointed of the Seal, which he had reason so much to depend upon; and that his misfortune would be wholly imputed to his own fault and infidelity (which without doubt he abhorred with his heart) and the only way to prevent that mischief, or to appear innocent under it, was to deliver the Seal to the Person trusted by the King himself to receive it; and so, without telling him any thing of his own purpose, he delivered the Seal into his hands; who forthwith put himself on his horse, and with wonderful expedition presented the Great Seal into his Majesty's own hands, who was infinitely pleased with it, and with the Messenger.

The Keeper, that Evening, pretended to be indisposed, and that he would take his rest early, and therefore that no body should be admitted to speak with him; and then he called Serjeant *Lee* to him, who was the Serjeant, who waited upon the Seal, and in whom he had great confidence, as he well might; and told him freely, " that he was resolved, the next morning, to go to the King, " who had sent for him; that he knew well, how much malice he should contract " by it from the Parliament, which would use all the means they could to ap- " prehend him; and he himself knew not how he should perform the Journey, " therefore he put himself entirely into his hands; that he should cause his Hor- " ses to be ready against the next morning, and only his own Groom to attend " them, and he to guide the best way, and that he would not impart it to any " other person. The honest Serjeant was very glad of the resolution, and chearfully undertook all things for the Journey; and so sending the Horses out of the Town, the Keeper put himself in his Coach very early the next morning, and assoon as they were out of the Town, He and the Serjeant and one Groom took their Horses, and made so great a journey that day, it being about the beginning of *June*, that before the end of the third day, he kissed the King's hand at *York*.

He had purposely procured the House of Peers to be Adjourned to a later hour, in the morning for *Monday*, than it used to be. *Sunday* passed without any Man's taking notice of the Keepers being absent; and many who knew that he was not at his House, thought he had been gone to *Cranford*, to his Country House, whither he frequently went on *Saturday* nights, and was early enough at the Parliament on *Monday* mornings; and so the Lords the more willingly consented to the later Adjournments for those days. But on *Monday* morning, when it was known when, and in what manner he had left his House, the confusion in both Houses was very great; and they who had thought that their Interest was so great in him, that they knew all his thoughts, and had valued themselves, and were valued by others, upon that account, hung down their heads, and were even distracted with shame: However they could not but conclude, that he was out of their reach before the Lords met; yet to shew their indignation against him, and it may be in hope that his infirmities would detain him long in the Journey (as no body indeed thought that he could have performed it, with that expedition) they issued out such a Warrant for the apprehending him, as had been in the case of the foulest Felon or Murtherer; and printed it, and caused it to be dispersed, by Expresses, over all the Kingdom with great haste. All which circumstances both before, and after the Keeper's Journey to *York*, are the more particularly, and at large set down, out of justice to the Memory of that noble Person; whose Honour suffer'd then much in the opinion of many, by the confident report of the person, who was sent for, and received the Seal, and who was a loud and bold Talker, and desired to have it believed, that his manhood had ravished the Great Seal from the Keeper, even in spight of his teeth; which how impossible soever in it self, found too much credit; and is therefore cleared by this very true, and punctual Relation, which in truth is but due to him.

But the trouble and distraction, which at this time possessed them, was visibly very great; and their dejection such, that the same day the Earl of *Northumberland* (who had been of another temper) moved, " that a Committe, might " be appointed, to consider how there might be an Accommodation between " the King and his People, for the Good, Happiness, and Safety of both King and " Kingdom; which Committe was appointed accordingly.

This temper of Accommodation troubled them not long, new warmth and vigour being quickly infused into them by the unbroken and undaunted Spirits of the House of Commons; which, to shew how little they valued the Power

or

or Authority of the King, tho' ſupported by having now his Great Seal by him, on the 26th of *May* agreed on a new Remonſtrance to the People; in which, the Lords concurring, they informed them.

The two Houſes Remonſtrance, May 26. 1642.

" That altho' the great Affairs of the Kingdom, and the miſerable bleeding " condition of the Kingdom of *Ireland* afforded them little leiſure, to ſpend " their time in Declarations, and in Anſwers, and Replies, yet the Malignant " Party about his Majeſty taking all occaſions to multiply Calumnies upon the " Houſes of Parliament, and to publiſh ſharp invectives, under his Majeſty's " Name, againſt them, and their proceedings (a new Engine they had inven- " ted to heighten the diſtractions of this Kingdom, and to beget, and increaſe " diſtruſt, and diſaffection between the King, and his Parliament, and the Peo- " ple) they could not be ſo much wanting to their own innocency; or to the du- " ty of their Truſt, as not to clear themſelves from thoſe falſe aſperſions, and " (which was their chiefeſt care) to diſabuſe the Peoples minds, and open their " Eyes, that under the falſe ſhews, and pretexts of the Law of the Land, and " of their own Rights, and Liberties, they may not be carried into the Road " way, that leadeth to the utter ruin, and ſubverſion thereof. A late occa- " ſion that thoſe wicked Spirits of diviſion had taken to defame and indeed to " arraign the proceedings of both Houſes of Parliament, had been from their " Votes of the 28th of *April*. And their Declaration concerning the buſineſs " of *Hull*, which becauſe they put forth, before they could ſend their An- " ſwer concerning that matter unto his Majeſty, thoſe miſchievious in- " ſtruments of diſſenſion, between the King, and the Parliament, and the " People, whoſe chief Labour, and Study was to miſrepreſent their Actions " to his Majeſty, and to the Kingdom, would needs interpret this as an Ap- " peal to the People, and a declining of all intercourſe between his Majeſty, and " them; as if they thought it to no purpoſe, to endeavour any more, to give " his Majeſty ſatisfaction; and, without expecting any longer their Anſwer, " under the Name, of a Meſſage from his Majeſty to both Houſes, they them- " ſelves had indeed made an Apeal to the People, as the Meſſage it ſelf did in " a manner grant it to be, offering to joyn iſſue with them in that way, and in " the nature thereof did clearly ſhew it ſelf to be no other; therefore They " would likewiſe addreſs their Anſwer to the Kingdom, not by way of Ap- " peal (as they were charged) but to prevent them from being their own Exe- " cutioners, and from being perſwaded under falſe colours of defending the " Law, and their own Liberties, to deſtroy both with their own hands, by " taking their Lives, Liberties, and Eſtates out of Their hands, whom " they had choſen, and entruſted therewith, and reſigning them up unto ſome " evil Counſellors, about his Majeſty, who could lay no other foundation of " their own greatneſs, but upon the ruin of this, and, in It, of all Parliaments, " and in Them, of the true Religion, and the freedom of this Nation. And theſe, " they ſaid, were the Men that would perſwade the people, that both Houſes " of Parliament containing all the Peers, and repreſenting all the Commons of " *England*, would deſtroy the Laws of the Land, and Liberties of the People; " wherein, beſides the Truſt of the whole, they themſelves in their own par- " ticulars, had ſo great an Intereſt of Honour, and Eſtate, that they hoped " it would gain little credit with any, that had the leaſt uſe of Reaſon, that " ſuch, as muſt have ſo great a ſhare in the miſery, ſhould take ſo much pains in the " procuring thereof; and ſpend ſo much time, and run ſo many hazards to make " themſelves Slaves, and to deſtroy the property of their Eſtates. But that " they might give particular ſatisfaction to the ſeveral Imputations caſt upon " them, they would take them in order, as they were laid upon them in that " Meſſage.

" Firſt they were charged for the avowing that Act of Sir *John Hotham*; which " was termed unparallel'd, and an high, and unheard of affront unto his Majeſty, " and as if they needed not to have done it; he being able, as was alledg'd, to " produce no ſuch Command of the Houſes of Parliament. They ſaid, altho' " Sir *John Hotham* had not an Order, that did expreſs every Circumſtance of " that caſe, yet he might have produced an Order of both Houſes, which did " comprehend this caſe, not only in the clear Intention, but in the very Words " thereof; which they knowing in their conſciences to be ſo, and to be moſt " neceſſary for the ſafety of the Kingdom, they could not, but in honour and " juſtice, avow that Act of His; which, they were confident, would appear to

" all the world to be ſo far from being an Affront to the King, that it would " be found to have been an Act of great Loyalty to his Majeſty, and to his " Kingdom.

" The next Charge upon them was, that inſtead of giving his Majeſty ſatis- " faction, they publiſhed a Declaration concerning that buſineſs, as an Appeal " to the People, and as if their intercourſe with his Majeſty, and for his " ſatisfaction were now to no more purpoſe; which courſe was alledged to be ve- " ry unagreeable to the Modeſty and Duty of former times, and not warrant- " able by any Precedents, but what Themſelves had made. They ſaid, if the " Penner of that Meſſage had expected a while, or had not expected that two " Houſes of Parliament (eſpecially burthen'd, as they were at that time, with " ſo many preſſing and urgent affairs) ſhould have moved as faſt as himſelf, he " would not have ſaid, that Declaration was inſtead of an Anſwer to his Ma- " jeſty; which they did diſpatch with all the ſpeed, and diligence they could, " and had ſent it to his Majeſty by a Committee of both Houſes; whereby it " appeared, that they did it not upon that ground, that they thought it was no " more to any purpoſe, to endeavour to give his Majeſty ſatisfaction.

" And as for the Duty and Modeſty of former times, from which they were " ſaid to have varied, and to want the Warrant of any Precedents therein, but " what themſelves had made: If they had made any Precedents this Parlia- " ment; they had made them for Poſterity, upon the ſame, or better grounds of " Reaſon and Law, than thoſe were upon, which their Predeceſſors firſt made " for Them: And as ſome Precedents ought not to be rules for them to follow, " ſo none could be limits to bound their proceedings; which might, and muſt " vary, according to the different condition of Times. And for that Particu- " lar, of ſetting forth Declarations for the ſatisfaction of the People, who had " choſen, and entruſted them with all that was deareſt to them: If there were " no example for it, it was becauſe there were never any Monſters before, that " ever attempted to diſaffect the People from a Parliament, or could ever har- " bour a thought that it might be effected. Were there ever ſuch practices to " poyſon the People with an ill apprehenſion of the Parliament; Were there " ever ſuch imputations, and ſcandals laid upon the proceedings of both Hou- " ſes; Were there ever ſo many, and ſo great breaches of Priviledge of Parlia- " ment? Were there ever ſo many and ſo deſperate deſigns of force and vio- " lence againſt the Parliament, and the Members thereof? If they had Done " more, than ever their Anceſtors had Done, they ſaid, they had Suffered " more, than ever They had Suffered; and yet, in point of Modeſty and Duty, " they would not yield to the beſt of former times; and they would put that " in iſſue, whether the higheſt, and moſt unwarrantable Precedents of any of " his Majeſty's Predeceſſors, did not fall ſhort, and much below, what had been " done to them this Parliament? And on the other ſide, whether, if they ſhould " make the higheſt Precedents of other Parliaments their patterns, there would " be cauſe to complain of want of modeſty and duty in Them; when they had " not ſo much as ſuffered ſuch things to enter their Thoughts, which all the " world knew They put in Act?

" Another Charge which was laid very high upon them, and which were in- " deed a very great Crime if they were found guilty thereof, was, that by a- " vowing that Act of Sir *John Hotham*, they did, in conſequence, confound and " deſtroy the title, and intereſt of all his Majeſty's good Subjects to their Lands " and Goods; and that upon this ground; that his Majeſty had the ſame Title " to his Town of *Hull*, which any of his Subjects had to their Houſes or Lands, " and the ſame to his Magazine and Munition there, that any Man had to his " Money, Plate, or Jewels: And therefore that they ought not to have been " diſpoſed of, without, or againſt his Conſent, no more than the Houſe, Land, " Money, Plate, or Jewels of any Subject, ought to be without, or againſt " his Will.

" Here, they ſaid, that was laid down for a Principle, which would indeed " pull up the very foundation of the liberty, property, and intereſt of every Subject " in particular, and of all the Subjects in general, if they ſhould admit it for a " truth, that his Majeſty had the ſame right and title to his Towns, and to his " Magazines (bought with the publick Moneys, as they conceived that at *Hull* to " have been) that every particular Man hath to his Houſe, Lands, and Goods. " For his Majeſty's Towns were no more his own, than his Kingdom was his

" own;

" own; and his Kingdom was no more his own, than his People are his own;
" and if the King had a Property in all his Towns, what would become of the
" Subject's propriety in their Houſes therein? and if He had a propriety in his
" Kingdom, what would become of the Subject's property in their Lands
" throughout the Kingdom? or of their Liberties, if his Majeſty had the ſame
" right in their Perſons that every Subject hath in his Lands, and Goods? and
" what would become of all the Subject's intereſts in the Towns, and Forts of
" the Kingdom, and in the Kingdom it ſelf, if his Majeſty might ſell, or give
" them away, or diſpoſe of them at his pleaſure, as a particular Man might do
" with his Lands, and with his Goods? This erroneous Maxim being infuſed
" into Princes, that their Kingdoms are their own, and that they may do with
" them what they will, as if their Kingdoms were for Them, and not They for
" their Kingdoms, was, they ſaid, the Root of all the Subjects miſery, and of
" the invading of their juſt Rights, and Liberties; whereas, indeed, they are
" only entruſted, with their Kingdoms, and with their Towns, and with their
" People, and with the publick Treaſure of the Common-wealth, and whatſo-
" ever is bought therewith; and, by the known Law of this Kingdom, the ve-
" ry Jewels of the Crown are not the King's proper Goods, but are only entruſt-
" ed to him, for the uſe and ornament thereof: As the Towns, Forts,
" Treaſure, Magazines, Offices, and the People of the Kingdom, and the whole
" Kingdom it ſelf is entruſted unto him, for the good, and ſafety, and beſt ad-
" vantage thereof: and as this Truſt is for the uſe of theKingdom, ſo ought it to
" be managed by the advice of the Houſes of Parliament, whom the Kingdom
" hath truſted for that purpoſe; it being their duty to ſee it diſcharged accor-
" ding to the condition and true intent thereof; and as much as in them lies, by
" all poſſible means, to prevent the contrary; which, if it had been their chief
" care and only aime, in the diſpoſing of the Town and Magazine of *Hull* in
" ſuch manner as they had done, they hoped it would appear clearly to all the
" world, that they had diſcharged their own Truſt, and not invaded that of his
" Majeſty, much leſs his Property; which, in that caſe, they could not do.

" But admitting his Majeſty had indeed a Property in the Town and Maga-
" zine of *Hull*; who doubted but that a Parliament may diſpoſe of any thing,
" wherein his Majeſty, or any Subject hath a right, in ſuch a way, as that the
" Kingdom may not be expoſed to Hazard, or Danger thereby? Which was
" Their caſe, in the diſpoſing of the Town and Magazine of *Hull*. And
" whereas his Majeſty did allow this, and a greater power to a Parliament,
" but in that ſenſe, only, as he himſelf was a Part thereof; they appeal'd to
" every man's conſcience, that had obſerved their proceedings, whether they
" disjoyn'd his Majeſty from his Parliament, who had in all humble ways ſought
" his concurrence with them, as in that particular about *Hull*, and for the remo-
" val of theMagazine there, ſo alſo in all other things; orwhether thoſe evil Coun-
" ſels about him, had not ſeparated him from his Parliament; not only in di-
" ſtance of place, but alſo in the diſcharge of the joint Truſt with them, for the
" Peace and Safety of the Kingdom in that and ſome other Particulars.

" They had given no occaſion to his Majeſty, they ſaid, to declare with ſo much
" earneſtneſs his reſolution, that he would not ſuffer either, or both Houſes by
" their Votes, without, or againſt his Conſent, to enjoyn any thing that was for-
" bidden by the Law, or to forbid any thing that was enjoyn'd by the Law; for
" their Votes had done no ſuch thing: And as they ſhould be very tender of the
" Law (which they did acknowledge to be the ſafeguard, and cuſtody of all pub-
" lick and private Intereſts) ſo they would never allow a few private Perſons a-
" bout the King, nor his Majeſty himſelf in his own Perſon, and out of his Courts,
" to be judge of the Law, and that contrary to the judgment of the higheſt Court
" of Judicature. In like manner that his Majeſty had not refuſed to conſent to any
" thing, that might be for the Peace and Happineſs of the Kingdom, they could
" not admit it in any other ſenſe, but as his Majeſty taketh the meaſure of what
" will be for the Peace and Happineſs of his Kingdom, from ſome few ill affected
" Perſons about him, contrary to the Advice, and Judgment of his Great Council
" of Parliament. And becauſe the Advice of both Houſes of Parliament had,
" through the ſuggeſtion of evil Counſellors, been ſo much undervalued of late,
" and ſo abſolutely rejected and refuſed, they ſaid, they held it fit to declare unto
" theKingdom, whoſe Honour and Intereſt was ſo much concern'd in it what was
" the Priviledge of the Great Council of Parliament herein; and what was the

" Obligation that lay upon the Kings of this Realm, to paſs ſuch Bills, as are " offer'd to them by both Houſes of Parliament, in the Name, and for the Good " of the whole Kidgdom, whereunto they ſtand engaged both in conſcience, and " juſtice, to give their Royal Aſſent: In Conſcience, in regard of the Oath, that " is, or ought to be taken by the Kings of this Realm at their Coronation, as " well to confirm by their Royal Aſſent ſuch good Laws, as the People ſhall " chooſe, and to remedy by Law ſuch inconveniencies, as the Kingdom may " ſuffer; as to keep, and protect the Laws allready in being; as may appear " both by the Form of the Oath, upon Record, and in Books of good Au- " thority, and by the Statute of the 25 of *Edward* the III. entituled, the Sta- " tute of Proviſors of Benefices; the Form of which Oath, and the Clauſe of " the Statute that concerneth it, are as followeth:

Rot. Parliament. H. IV. *N.* 17.

Forma juramenti ſoliti, & conſueti præſtari per Reges Angliæ in eorum Coronatione.

Servabis Eccleſiæ Dei, Cleroque, & Populo, pacem ex integro, & concordiam in Deo, ſecundum vires tuas?

Reſpondebit, ſervabo.

Facies fieri in omnibus judiciis tuis æquam, & rectam juſtitiam, & diſcretionem in miſericordia & veritate, ſecundum vires tuas?

Reſpondebit, Faciam.

Concedis juſtas Leges, & conſuedudines eſſe tenendas; & promittis per te eas eſſe protegendas, & ad honorem Dei corroborandas, quas Vulgus elegerit, ſecundum vires tuas?

Reſpondebit, Concedo, & Promitto.

Adjicianturque prædictis Interrogationibus quæ juſta fuerint, prænunciatiſque omnibus, confirmet Rex ſe omnia ſervaturum, ſacramento ſuper Altare præſtito, coram cunctis.

A Clauſe in the preamble of a Statute made in the 25 Edw. III. *entituled, the Statute of Proviſors of Beneſices.*

Whereupon the ſaid Commons have prayed our ſaid Lord the King; that ſith the Right of the Crown of *England*, and the Law of the ſaid Realm, is ſuch, that upon the miſchiefs and damages, which happen to this Realm, he ought, and is bound by his Oath, with the accord of his People in his Parliament, thereof to make Remedy and Law, and in removing the miſchiefs, and damages which thereof enſue, that it may pleaſe him thereupon to ordain Remedy.

Our Lord the King ſeeing the miſchiefs and damages before mentioned, and having regard to the Statute made in the time of his ſaid Grandfather, and to the Cauſes contained in the ſame, which Statute holdeth allways his force, and was never defeated, repealed, or annulled in any point, and by ſo much he is bound by his Oath to cauſe the ſame to be kept as the Law of his Realm, tho' that, by ſufferance and negligence, it hath been ſithence attempted to the contrary: Alſo having regard to the grievous complaints made to him by his People, in divers his Parliaments holden heretofore, willing to ordain remedy for the great damages, and miſchiefs which have happen'd, and daily do happen, to the Church of *England* by the ſaid Cauſe.

" Here, they ſaid, the Lords, and Commons claim it directly as the Right of " the Crown of *England*, and of the Law of the Land, and that the King is " bound by his Oath, with the accord of his People in Parliament, to make re- " medy and Law upon the miſchiefs and damages, which happen to this Realm; " and the King doth not deny it, altho' he take occaſion from a Statute former- " ly made by his Grandfather, which was laid as part of the grounds of this Pe- " tition, to fix his Anſwer upon another branch of his Oath, and pretermits " that which is claimed by the Lords and Commons; which he would not have " done, if it might have been excepted againſt.

" In Juſtice, they ſaid, they are obliged thereunto, in reſpect of the Truſt " repoſed in them; which is as well to preſerve the Kingdom by the making

" new

" new Laws, where there ſhall be need, as by obſerving of Laws allready made;
" a Kingdom being, many times, as much expoſed to ruin, for the want of a new
" Law, as by the violation of thoſe that are in being: and this is ſo clear a
" Right, that, no doubt, his Majeſty would acknowlege it to be as due to his
" People, as his Protection. But how far forth he was obliged to follow the
" judgment of his Parliament therein, that is the Queſtion. And certainly, be-
" ſides the words in the King's Oath, referring unto ſuch Laws as the People
" ſhall chooſe, as in ſuch things which concern the publick Weal and Good
" of the Kingdom, They are the moſt proper judges, who are ſent from the
" whole Kingdom for that very purpoſe; ſo they did not find, that ſince Laws
" have paſſed by way of Bills (which are read thrice in both Houſes, and
" Committed; and every part, and circumſtance of them fully weighed and
" debated upon the Commitment, and afterwards paſſed in both Houſes) that
" ever the Kings of this Realm did deny them, otherwiſe than is expreſſed in
" that uſual Anſwer, *Le Roy S'aviſera*; which ſignifies rather a ſuſpenſion,
" than a refuſal of the Royal Aſſent. And in thoſe other Laws, which are
" framed by way of Petitions of Right, the Houſes of Parliament have taken
" themſelves to be ſo far Judges of the Right claimed by them, that when the
" King's Anſwer hath not, in every point, been fully according to their deſires,
" they have ſtill inſiſted upon their claim, and never reſted ſatisfy'd, till ſuch
" time as they had an Anſwer according to their demand; as had been done in the
" late Petition of Right, and in former times upon the like occaſion. And if
" the Parliament be judge between the King and his People in the queſtion
" of Right (as by the manner in the claim in Petitions of Right, and by judg-
" ments in Parliament, in caſes of illegal impoſitions and taxes, and the like,
" it appears to be) why ſhould they not be ſo alſo, in the queſtion of the Com-
" mon Good, and Neceſſity of the Kingdom; wherein the Kingdom hath as
" clear a Right alſo to have the benefit, and remedy of Law, as in any thing
" whatſoever? And yet they did not deny, but that in private Bills, and alſo in
" publick Acts of Grace, as Pardons, and the like Grants of Favour, his Majeſty
" might have a greater latitude of Granting, or Denying, as he ſhould think fit.

" All this conſider'd, they ſaid, they could not but wonder, that the Contri-
" ver of that Meſſage ſhould conceive, the People of this Land to be ſo void of
" Common ſenſe, as to enter into ſo deep a miſtruſt of thoſe, whom They have,
" and his Majeſty ought to repoſe ſo great a Truſt in, as to deſpair of any ſecu-
" rity in their private Eſtates, by Deſcents, Purchaſes, Aſſurances, or Convey-
" ances; unleſs his Majeſty ſhould, by His Vote, prevent the prejudice, they
" might receive therein by the Votes of both Houſes of Parliament; as if They
" who are eſpecially choſen, and entruſted for that Purpoſe, and who Them-
" ſelves muſt needs have ſo great a ſhare in all Grievances of the Subject, had
" wholly caſt off all care of the Subject's Good, and his Majeſty had ſolely taken
" it up; and as if it could be imagined, that They ſhould, by their Votes, over-
" throw the Rights of Deſcents, Purchaſes or of any Conveyance or Aſſurance, in
" whoſe judgment the whole Kingdom hath placed all their particular intereſts,
" if any of them ſhould be called in queſtion, in any of thoſe caſes; and that
" (as not knowing where to place them, with greater ſecurity) without any
" Appeal from them to any other Perſon, or Court whatſoever.

" But indeed they were very much to ſeek, how the Caſe of *Hull* could con-
" cern Deſcents and Purchaſes, or Conveyances and Aſſurances; unleſs it were
" in procuring more ſecurity to Men in their Private intereſts, by the preſer-
" vation of the Whole from confuſion, and deſtruction; and much leſs did they
" underſtand, how the Soveraign Power was reſiſted, and deſpiſed therein.
" Certainly no command from his Majeſty, and his high Court of Parliament
" (where the Soveraign Power reſides) was diſobeyed by Sir *John Hotham*; nor
" yet was his Majeſty's Authority derived out of any other Court, nor by any
" legal Commiſſion, or by any other way, wherein the Law had appointed his
" Majeſty's commands to be derived to his Subjects; and of what validity his
" Verbal Commands are, without any ſuch Stamp of his Authority upon them,
" and againſt the Order of both Houſes of Parliament, and whether the not ſub-
" mitting therento, be a reſiſting and diſpiſing of the Soveraign Authority,
" they would leave to all Men to judge, that do at all underſtand the Govern-
" ment of this Kingdom.

" They acknowledged that his Majeſty had made many expreſſions of his Zeal,
" and Intentions againſt the deſperate deſigns of the Papiſts; but yet it was al-

" ſo as true, that the Counſels, which had prevailed of late with him, had been " little ſuitable to thoſe Expreſſions, and Intentions. For what did more ad- " vance the open, and bloody deſign of the Papiſts in *Ireland* (whereon the ſecret " Plots of the Papiſts here did, in all likelyhood, depend) than his Majeſty's ab- " ſenting himſelf, in that manner that he did, from his Parliament; and ſetting " forth ſuch ſharp Invectives againſt them, notwithſtanding all the humble Pe- " titions, and other means, which his Parliament had addreſſed unto him, for " his return, and for his ſatisfaction concerning their proceedings? And what " was more likely to give a riſe to the deſigns of the Papiſts (whereof there " were ſo many in the North, near to the Town of *Hull*) and of other malig- " nant, and ill affected Perſons (which were ready to joyn with them) or to the " attempts of Forreigners from abroad, than the continuing of that great " Magazine at *Hull*, at this time, and contrary to the deſire and advice of " both Houſes of Parliament? So that they had too much cauſe to believe, that " the Papiſts had ſtill ſome way and means, whereby they had influence upon " his Majeſty's Counſels for their own advantage.

" For the Malignant Party, they ſaid, his Majeſty needed not a definition of " the Law, nor yet a more full Character of them from both Houſes of Parlia- " ment, for to find them out, if he would pleaſe only to apply the Chara- " cter, that himſelf had made of them, to thoſe, unto whom it doth properly " and truly belong. Who are ſo much diſaffected to the Peace of the Kingdom " as they that endeavour to diſſaffect his Majeſty from the Houſes of Parlia- " ment, and perſwade him to be at ſuch a diſtance from them, both in place " and affection? Who are more diſaffected to the Government of the Kingdom, " than ſuch as lead his Majeſty away from hearkning to his Parliament; which " by the conſtitution of the Kingdom, is his greateſt and beſt Council; and " perſwade him to follow the malicious Counſels of ſome private Men, in op- " poſing and contradicting the wholeſome advices, and juſt proceedings of that " his moſt faithful Council, and higheſt Court? Who are they, that not only " neglect and deſpiſe, but labour to undermine the Law, under colour of main- " taining it, but they that endeavour to deſtroy the Fountain, and Conſerva- " tory of the Law, which is the Parliament? And Who are they that ſet up o- " ther Rules for themſelves to walk by, than ſuch as were according to Law, " but they that will make other Judges of the Law than the Law hath ap- " pointed; and ſo diſpence with their obedience to that, which the Law cal- " leth Authority, and to Their determinations and reſolutions, to whom the " judgment doth appertain by Law? For, when private Perſons ſhall make " the Law to be their Rule according to their own underſtanding, contrary to " the judgment of thoſe, that are the competent judges thereof, they ſet up " unto themſelves other Rules than the Law doth acknowledge. Who thoſe " Perſons were, none knew better than his Majeſty himſelf. And if he would " pleaſe to take all poſſible caution of them, as deſtructive to the Common- " wealth and Himſelf, and would remove them from about him, it would be " the moſt effectual means to compoſe all the diſtractions, and to cure the di- " ſtempers of the Kingdom.

" For the Lord *Digby*'s Letter, they ſaid, they did not make mention of it " as a ground to hinder his Majeſty from viſiting his own Fort; but they ap- " peal'd to the judgment of any indifferent Man, that ſhould read that Letter, " and compare it with the poſture that his Majeſty then did, and ſtill doth, ſtand " in towards the Parliament, and with the circumſtances of that late Action of " his Majeſty's going to *Hull*, whether the adviſers of that Journey intended on- " ly a Viſit of that Fort, and Magazine?

" As to the ways and overtures of Accommodation, and the Meſſage of the " twentieth of *January* laſt, ſo often preſſed, but ſtill in vain, as was alledged: " Their Anſwer was, That altho' ſo often as that Meſſage of the twentieth of " *January* had been preſſed, ſo often had their Priviledges been clearly infring'd, " that a way and method of proceedings ſhould be preſcribed to them, as well " for the ſettling of his Majeſty's Revenue, as for the preſenting of their own " Deſires (a thing which in former Parliaments had allways been excepted a- " gainſt, as a breach of Priviledge) yet, in reſpect to the matter contain'd in " that Meſſage, and out of their earneſt deſire to beget a good underſtanding " between his Majeſty and them, they ſwallowed down all matters of Circum- " ſtance; and had e're that time preſented the chief of their deſires to his Maje-

" ſty

" ſty, had they not been interrupted with continual Denials, even of thoſe " things that were neceſſary for their preſent ſecurity, and ſubſiſtance; and had " not thoſe Denials been followed with perpetual Invectivesagainſt Them, and " their Proceedings; and had not thoſe Invectives been heaped upon them ſo " thick one after another (who were in a manner already taken up wholely " with the preſſing affairs of this Kingdom, and of the Kingdom of *Ireland*) that " as they had little encouragement from thence, to hope for any good Anſwers " to their Deſires, ſo they had not ſo much time left them to perfect in them " in ſuch a manner, as to offer them to his Majeſty.

" They confeſſed it to be a reſolution moſt worthy of a Prince, and of his " Majeſty, to ſhut his ears againſt any, that would incline him to a Civil War; " and to abhor the very apprehenſion of it. But they could not believe that " mind to have been in them, that came with his Majeſty to the Houſe of Com- " mons; or in them that accompanied his Majeſty to *Hampton*-Court, and ap- " peared in a Warlike manner at *Kingſton* upon *Thames*; or in divers of them " who followed his Majeſty lately to *Hull*; or in Them, who after drew their " Swords in *York*, demanding, *who would be for the King?* nor in Them that ad- " viſed his Majeſty to declare Sir *John Hotham* a Traytor, before the Meſſage " was ſent concerniug that buſineſs to the Parliament, or to make propoſitions " to the Gentlemen of the County of *York* to aſſiſt his Majeſty to proceed a- " gainſt him in a way of Force, before he had, or poſſibly could receive an An- " ſwer from the Parliament, to whom he had ſent to demand Juſtice of them " againſt Sir *John Hotham* for that Fact: and if thoſe Malignant Spirits ſhould " ever force them to defend their Religion, the Kingdom, the Priviledges of " Parliament, and the Rights and Liberties of the Subjects, with their Swords; " the Blood, and Deſtruction that ſhould enſue thereupon, muſt be wholely caſt " upon Their Account; God, and their own Conſciences told them, that They " were clear; and they doubted not but God, and the whole World would clear " them therein.

" For Captain *Leg*, they had not ſaid that he was accuſed, or that there " was any charge againſt him, for the bringing up of the Army; but that " he was imployed in that Buſineſs. And for that concerning the Earl of " *New-Caſtle*, mentioned by his Majeſty, which was ſaid to have been asked " long ſince, and that it was not eaſy to be Anſwer'd: They conceived it was " a Queſtion of more difficulty, and harder to be Anſwer'd, why, when his " Majeſty held it neceſſary, upon the ſame grounds that firſt moved from the " Houſes of Parliament, that a Governor ſhould be placed in that Town, Sir " *John Hotham*, a Gentleman of known Fortune and Integrity, and a Perſon of " whom both Houſes of Parliament had expreſſed their confidence, ſhould be " refuſed by his Majeſty; and the Earl of *New-Caſtle* (who, by the way, was " ſo far named in the buſineſs of bringing up the Army, that altho' there was " not ground enough for a judicial Proceeding, yet there was ground of Suſpi- " cion; at leaſt his Reputation was not left ſo unblemiſhed thereby, as that he " ſhould be thought the fitteſt Man in *England* for that Employment of *Hull*) " ſhould be ſent down, in a private way, from his Majeſty to take upon him " that Government? And why he ſhould diſguiſe himſelf under another name, " when he came thither, as he did? But whoſoever ſhould conſider, together " with thoſe circumſtances, that of the Time when Sir *John Hotham* was ap- " pointed, by both Houſes of Parliament, to take upon him that Employment, " which was preſently after his Majeſty's coming to the Houſe of Commons, and " upon the retiring himſelf to *Hampton*-Court, and the Lord *Digby*'s aſſembling " of Cavaliers at *Kingſton* upon *Thames*, would find reaſon enough, why that " Town of *Hull* ſhould be committed rather to Sir *John Hotham*, by the Autho- " rity of both Houſes of Parliament, than to the Earl of *New-Caſtle*, ſent from " his Majeſty in that manner that he was. And for the Power, that Sir *John* " *Hotham* had from the two Houſes of Parliament, the better it was known " and underſtood, they were confident the more it would be approved and juſti- " fied: And as they did not conceive, that his Majeſty's refuſal to have that " Magazine removed, could give any advantage againſt him to have it taken " from him; and as no ſuch thing was done, ſo they could not conceive, for " what other Reaſon any ſhould counſel his Majeſty, not to ſuffer it to be remo- " ved, upon the deſire of both Houſes of Parliament; except it were, that they " had an intention to make uſe of it againſt Them.

" They ſaid, they did not except againſt thoſe that preſented a Petition to

" his Majeſty at *York*, for the continuance of the Magazine at *Hull*, in reſpect " of their Condition, or in reſpect of their Number; becauſe they were Mean per- " ſons, or becauſe they were Few; but becauſe they being but a few, and there be- " ing ſo many more in the County of as good quality as themſelves (who had, by " their Petition to his Majeſty, diſ-avow'd that Act of theirs) that they ſhould take " upon them the Style of all the Gentry, and Inhabitants of that County; and un- " der that Title, ſhould preſume to interpoſe their Advice contrary to the Votes " of both Houſes of Parliament: And, if it could be made to appear, that any of " thoſe Petitions, that are ſaid to have been preſented to the Houſes of Parliament, " and to have been of a ſtrange nature, were of ſuch a nature as that, They were " confident, that they were never received with their Conſent, and Approbation.

" Whether there was an Intention to deprive Sir *John Hotham* of his Life, " if his Majeſty had been admitted into *Hull*; and whether the Information were " ſuch, as that he had ground to believe it, they would not bring into queſtion; " for That was not, nor ought to have been, the ground for doing what he " did: Neither was the Number of his Majeſty's Attendants, for being more " or fewer, much conſiderable in this caſe; for altho' it were true, that if his " Majeſty had entered with twenty Horſe only he might happily have found " means for to have forced the entrance of the reſt of his Train? who being " once in the Town would have not been long without Armes; yet that was " not the ground upon which Sir *John Hotham* was to proceed; but upon the " Admittance of the King into the Town at all, ſo as to deliver up the Town " and Magazine unto him, and to whomſoever he ſhould give the Command " thereof without the Knowledge and Conſent of both Houſes of Parliament, " by whom he was entruſted to the contrary: and his Majeſty having declared " that to be his intention concerning the Town, in a Meſſage that he ſent to " the Parliament, not long before he went to *Hull*: ſaying, that he did not doubt, " but that Town ſhould be deliver'd up to him, whenſoever he pleaſed, as ſup- " poſing it to be kept againſt him; and in like manner concerning his Magazine, " in his Meſſage of the 14th of *April*, wherein it is expreſſed that his Majeſty " went thither, with a purpoſe to take into his Hands the Magazine, and to " diſpoſe of it in ſuch manner, as he ſhould think fit. Upon thoſe terms, Sir " *John Hotham* could not have admitted his Majeſty, and have made good his " Truſt to the Parliament, tho' his Majeſty would have enter'd alone with- " out any Attendants at all of his own, or of the Prince or Duke, his Sons; which " they did not wiſh to be leſs than they were in their Number, but could heartily " wiſh that they were generally better in their Condition.

" In the cloſe of that Meſſage, his Majeſty ſtated the Caſe of *Hull*; and there- " upon inferred, that the Act of Sir *John Hotham* was levying War againſt the " King; and conſequently, that it was no leſs than High Treaſon, by the let- " ter of the Statute of the 25 *Edw.* III. *ch.* 2. unleſs the Senſe of that Statute " were very far differing from the Letter thereof.

" In the ſtating of that Caſe, they ſaid, divers Particulars might be obſerved, " wherein it was not rightly ſtated: As,

1. " That his Majeſty's going to *Huil* was only an endeavour to viſit a Town, " and Fort of his: whereas it was indeed to Poſſeſs himſelf of the Town, and " Magazine there, and to diſpoſe of them, as he himſelf ſhould think good, " without, and contrary to the Advice, and Orders of both Houſes of Parlia- " ment: as did clearly appear by his Majeſty's own Declaration of his Intentions " therein by his Meſſages to both Houſes, immediately before, and after that " Journey. Nor could they believe, that any Man, who ſhould conſider the " circumſtances of that Journey to *Hull*, could think, that his Majeſty would " have gone thither at that time, and in that Poſture, that he was pleaſed to put " himſelf in towards the Parliament, if he had intended only a Viſit of the " Town and Magazine.

2. " It was ſaid to be his Majeſty's own Town, and his own Magazine, which " being underſtood in that ſenſe, as was before expreſſed; as if his Majeſty " had a private Intereſt of Propriety therein, they could not admit it to be ſo.

3. " Which was the main Point of all, Sir *John Hotham* was ſaid to have ſhut the " Gates againſt his Majeſty, and to have made reſiſtance with Armed Men, in " defiance of his Majeſty; whereas it was indeed in obedience to his Majeſty, and " his Authority, and for His Service, and the Service of the Kingdom; for " which uſe only, all that Intereſt is, that the King hath in the Town; and it " is no further his to diſpoſe of, than he uſeth it for that end: and Sir *John*

" *Hotham*

" *Hotham* being commanded to keep the Town and Magazine for his Majeſty " and the Kingdom, and not to deliver them up, but by his Majeſty's Authority " ſignified by both Houſes of Parliament, all that was to be underſtood by " thoſe expreſſions, of his denying, and oppoſing his Majeſty's entrance, and tel- " ling him in plain terms, that he ſhould not come in, was only this, that he " humbly deſired his Majeſty to forbear his entrance, till he might acquaint the " Parliament; and that his Authority might come ſignified to him by both " Houſes of Parliament, according to the Truſt repoſed in him, And cer- " tainly, if the Letter of the Statute of the 25 *Edw.* III. *ch.* 2. be thought " to import this, That no War can be levied againſt the King, but what is di- " rected, and intended againſt his Perſon, or that every levying of Forces for " the Defence of the King's Authority, and of his Kingdom, againſt the Per- " ſonal Commandsof the King oppoſed thereunto, tho' accompanied with his " Preſence, is levying War againſt the King, it is very far from the Senſe of " that Statute; and ſo much the Statute it ſelf ſpeaks (beſides the Authority of " Book-Caſes; Precedents of divers Traytors condemn'd upon that interpreta- " tion thereof) For if the Clauſe of levying of War had been meant only againſt " the King's Perſon, what need had there been thereof after the other branch " of Treaſon, in the ſame Statute of compaſſing the King's Death, which would " neceſſarily have implied this? And becauſe the former Clauſe doth imply this, " it ſeems not at all to be intended in this latter Branch; but only the levying " of War againſt the King, that is, againſt his Laws and Authority; And the " levying of War againſt his Laws and Authority, tho' not againſt his perſon, is " levying of War againſt the King; but the levying of Force againſt his Per- " ſonal Commands, tho' accompanied with his Preſence, and not againſt his " Laws and Authority, but in the maintenance thereof, is no levying of War a- " gainſt the King, but for him.

" Here was then, they ſaid, their Caſe: In a time of ſo many ſucceſſive Plots, " and Deſigns of Force againſt the Parliament, and the Kingdom in a time of " probable Invaſion from abroad, and that to begin at *Hull*, and to take the " opportunity of ſeiſing upon ſo great a Magazine there; in a time of ſo great " diſtance and alienation of his Majeſty's Affection from his Parliament (and " in Them from his Kingdom, which they repreſent) by the Wicked ſuggeſtions " of a few MalignantPerſons, by whoſe miſchievous Counſels he was wholely led " away from his Parliament, and their faithful Advices and Counſels: In ſuch a " time, the Lords and Commons in Parliament command Sir *John Hotham*, to " draw in ſome of theTrain'd-bands of theParts adjacent to theTown of *Hull* for " the ſecuring that Town and Magazine for tbe Service of his Majeſty and of " the Kingdom: of the ſafety whereof there is a higher Truſt repoſed in Them, " than any where elſe; and They are the proper Judges of the danger thereof.

" This Town and Magazine being intruſted to Sir *John Hotham* with expreſs " Order not to deliver them up, but by the King's Authority ſignified by both " Houſes of Parliament; hisMajeſty contrary to theAdvice andDirections of both " Houſes of Parliament, without the Authority of any Court, or any Legal way " wherein the Law appoints the King to ſpeak and command, accompanied " with the ſame evil Council about him that he had before, by a Verbal command " requires Sir *John Hotham* to admit him into the Town, that he might diſpoſe " of it and of the Magazine there, according to his own or rather according to " the Pleaſure of thoſe evil Counſellors, who are ſtill in ſo much credit " about him; in like manner as the Lord *Digby* had continual recourſe unto and " countenance from the Queen's Majeſty in *Holland*; by which means he " had opportunity ſtill to communicate his Trayterous conceptions, and ſug- " geſtions to both their Majeſty's; ſuch as thoſe were concerning his Majeſty's " retiring to a Placeof Strength, and Declaring himſelf and his own advancing his " Majeſty's Service in ſuch a way beyond the Seas, and after that reſorting to his " Majeſty in ſuch a Place of ſtrength and divers other things of that nature, con- " tained in this Letter to the Queen's Majeſty, and to Sir *Lewis Dives*; a Perſon, " that had not the leaſt Part in this late buſineſs of *Hull*, and was preſently " diſpatched away into *Holland*, ſoon after his Majeſty's return from *Hull*; for " what Purpoſe, they left the world to Judge.

" Upon the Refuſal of Sir *John Hotham* to admit his Majeſty into *Hull*, pre- " ſently, without any due proceſs of Law, before his Majeſty had ſent up " the narration of his Fact to the Parliament, he was proclaim'd Traytor; and " yet it was ſaid that herein was no Violation of the Subjects Rights, nor any

" breach of the Law, nor of the Priviledge of Parliament tho' Sir *John Hotham*
" be a member of the Houſe of Commons; and that his Majeſty muſt have bet-
" ter reaſon than bare Votes, to believe the contrary; altho' the Votes of the
" Lords and Commons in Parliament being the Great Council of the King-
" dom, are the reaſon of the King, and of the Kingdom: yet theſe Votes, they
" ſaid, did not want clear, and apparent reaſon for them; for if the ſolemn pro-
" claiming him a Traytor ſignify any thing, it puts a Man, and all thoſe that
" any way aid, aſſiſt, or adhere unto him, in the ſame condition of Traytors;
" and draws upon him all the conſequences of Treaſon: And if that might be
" done by Law, without due proceſs of Law, the Subject hath a very poor de-
" fence of the Law; and a very ſmall, if any proportion of Liberty thereby. And
" it is as little ſatisfaction to a man that ſhall be expoſed to ſuch Penalties, by
" that Declaration of him to be Traytor, to ſay he ſhall have a Legal Tryal after-
" wards, as it is to condemn a Man firſt, and try him afterwards. And if there
" could be a neceſſity for any ſuch proclaiming a Man a Traytor without due
" proceſs of Law, yet there was none in this caſe; for his Majeſty might as
" well have expected the Judgment of Parliament (which was the right way)
" as he had leiſure to ſend to them to demand juſtice againſt Sir *John Hotham*.
" And the breach of Priviledge of Parliament was as clear in this Caſe, as the
" ſubverſion of the Subject's Common right: For, tho' the Priviledges of Par-
" liament, do not extend to thoſe Caſes, mention'd in the Declaration, of
" Treaſon, Felony, and Breach of Peace, ſo as to exempt theMembers of Par-
" liament from puniſhment, nor from all manner of Proceſs and Tryal, as it
" doth in other Caſes; yet it doth Priviledge them in the Way, and Method
" of their Tryal and Puniſhment; and that the Parliament ſhould have the Cauſe
" firſt brought before them, that they may judge of the Fact, and of the grounds
" of the Accuſation; and how far forth the manner of their Tryal may
" concern, or not concern the Priviledge of Parliament. Otherwiſe it would
" be in the power, not only of his Majeſty, but of every private man, under
" pretenſions of Treaſons, or thoſe other Crimes, to take any Man from his
" Service in Parliament; and ſo as many one after another as he pleaſeth;
" and, conſequently, to make a Parliament what he will, when he will; which
" would be a breach of ſo Eſſential a Priviledge of Parliament, as that the very
" Being thereof depends upon it. And therefore they no ways doubted but every
" One, that had taken the Proteſtation, would, according to his Solemn Vow,
" and Oath, defend it with his Life, and Fortune. Neither did the ſitting of
" a Parliament ſuſpend all, or any Law, in maintaining that Law, which upholds
" the Priviledge of Parliament; which upholds the Parliament; which upholds
" the Kingdom. And they are ſo far from believing, that his Majeſty was the
" only Perſon againſt whom Treaſon could Not be committed, that, in ſome
" ſenſe, they acknowledged he was the only perſon againſt whom it Could be
" committed; that is as he is King: and that Treaſon, which is againſt the King-
" dom, is more againſt the King, than that which is againſt his Perſon; becauſe
" he is King. For that very Treaſon is not Treaſon, as it is againſt him as a
" Man, but as a man that is a King; and as he hath relation to the Kingdom, and
" ſtands as a Perſon entruſted with the Kingdom, and diſcharging that Truſt.

" Now, they ſaid, the Caſe was truly ſtated, and all the world might judge
" where the Fault was; altho' they muſt avow, that there could be no compe-
" tent Judge of this, or any the like Caſe, but a Parliament. And they were
" as confident, that his Majeſty ſhould never have cauſe to reſort to any other
" Court, or Courſe, for the vindication of his juſt Priviledges, and for the reco-
" very and maintenance of his known, and undoubted Rights, if there ſhould be
" any Invaſion, or Violation thereof, than to his high Court of Parliament:
" And, in caſe thoſe wicked Counſellors about him, ſhould drive him into
" any other Courſe from, and againſt his Parliament, whatever his Majeſty's ex-
" preſſions, and intentions were, they ſhould appeal to all Men's Conſciences;
" and deſire, that they would lay their hands upon their hearts, and think with
" themſelves, whether ſuch Perſons, as had of late, and ſtill did reſort unto his
" Majeſty, and had his ear, and favour moſt, either had been, or were
" more Zealous Aſſertors of the true Proteſtant Profeſſion (altho' they believed
" they were more earneſt in the Proteſtant Profeſſion, than in the Proteſtant
" Religion) or the Law of the Land, the Liberty of the Subject, and the Privi-
" ledges of the Parliament, than the Members of both Houſes of Parliament;
" who were inſinuated to be the Deſerters, if not the Deſtroyers of them: And

" whether

" whether if they could maſter this Parliament by force, they would not hold " up the ſame power to deprive us of all Parliaments; which are the Ground, " and Piller of the Subjects Liberty, and that which only maketh *England* a free " Monarchy.

" For the Order of Aſſiſtance to the Committee of both Houſes; as they " had no Directions or Inſtructions, but what had the Laws for their Limits, " and the Safety of the Land for their Ends, ſo they doubted not but all per- " ſons mention'd in that Order, and all his Majeſty's good Subjects, would yield " obedience to his Majeſty's Authority, ſignified therein by both Houſes of Par- " liament. And that all Men might the better know their duty in matters of " that nature, and upon how ſure a ground They go, that follow the judgment " of Parliament for their Guide, they wiſhed them judiciouſly to conſider the " true meaning, and ground of that Statute made in the eleventh Year of King " *H.* VII. *ch.* 1. which was printed at large in the end of his Majeſty's Meſſage " of the fourth of *May*: That Statute provides, that none who ſhall attend up- " on the King, and do him true Service, ſhould be attainted, or forfeit any " thing. What was the Scope of that Statute? To provide that Men ſhould " not ſuffer as Traytors, for ſerving the King in his Wars according to the duty " of their Allegience? If this had been all it had been a very needleſs, and ridi- " culous Statute. Was it then intended (as They ſeem'd to take the meaning " of it to be, that cauſed it to be printed after his Majeſty's Meſſage) that They " ſhould be free from all Crime and Penalty, that ſhould follow the King, and " ſerve him in War in any caſe whatſoever; whether it were for, or againſt the " Kingdom, and the Laws thereof? That could not be; for that could not ſtand " with the duty of their Allegiance; which, in the beginning of the Statute, was " expreſſed to be to ſerve the King for the time being in his Wars, for the de- " fence of Him, and the Lands; and therefore if it be againſt the Land (as it can- " not be underſtood to be otherwiſe, if it be againſt the Parliament, the Repre- " ſentative body of the Kingdom) it is a declining from the duty of Allegiance; " which this Statute ſuppoſeth may be done, tho' Men ſhould follow the King's " Perſon in the War. Otherwiſe there had been no need of ſuch a Proviſo in the " end of the Statute, that none ſhould take the benefit thereby, that ſhould decline " from their Allegiance. That therefore which is the principal Verb in this " Statute is, The ſerving of the King for the time being; which could not be " meant of *Perkin Warbeck*, or any that ſhould call himſelf King; but ſuch a " One, as whatever his Title might prove, either in Himſelf, or in his Anceſtors, " ſhould be received, and acknowledged for ſuch by the Kingdom; the Conſent " whereof cannot be diſcern'd but by Parliament; the Act wherof is the Act of " the whole Kingdom, by the Perſonal Suffrage of the Peers, and the delegate " Conſent of all the Commons of *England*.

" And *Henry* the VII. a wiſe King, conſidering that what was the caſe of " *Rich.* III. his Predeceſſor, might, by chance of battle, be his own; and that he " might at once, by ſuch a Statute as this, ſatisfy ſuch as had ſerved his Prede- " ceſſor in his Wars, and alſo ſecure thoſe, which ſhould ſerve Him, who might " otherwiſe fear to ſerve him in the Wars; leſt, by chance of Battle, That might " happen to him alſo (if a Duke of *York* had ſet up a Title againſt him) which " had happen'd to his Predeceſſor, he procured this Statute to be made, That no " Man ſhould be accounted a Traytor for ſerving the King, in his Wars, for the " time being, that is, which was for the preſent allowed, and received by the " Parliament in behalf of the Kingdom: And, as it is truly ſuggeſted, in the " preamble of the Statute, it is not agreeable to Reaſon or Conſcience, that it " ſhould be otherwiſe; ſeeing Men ſhould be put upon an Impoſſibility of know- " ing their Duty, if the judgment of the higheſt Court ſhould not be a Rule, and " Guide to them. And if the judgment thereof ſhould be followed, where the " Queſtion is, who is King? much more, what is the beſt Service of the " King, and Kingdom? And therefore thoſe, who ſhould guide themſelves by " the judgment of Parliament ought, whatever happen, to be ſecure and free " from all Account and Penalties, upon the Grounds and Equity of this very " Statute.

" They ſaid, they would conclude, that altho' thoſe wicked Counſellors about " his Majeſty, had preſumed, under his Majeſty's Name, to put that diſhonour, " and affront upon both Houſes of Parliament; and to make Them the counte- " nancers of Treaſon, enough to have diſſolved all the bands, and ſinews of con-

" fidence between his Majeſty, and his Parliament; (of whom the Maxim of the " Law is, that a diſhonourable thing ought not to be imagined of them) yet they " doubted not, but it ſhould, in the end, appear to all the world, that their en- " deavours had been moſt hearty and ſincere, for the maintenance of the true " Proteſtant Religion; the Kings juſt Prerogative; the Laws, and Liberties of " the Land; and the Priviledges of Parliament: in which endeavours, by the " Grace of God, they would ſtill perſiſt, tho' they ſhould periſh in the work; " which if it ſhould be, it was much to be fear'd, that Religion, Laws, Liberties, " and Parliaments, would not be long lived after them.

This Declaration wrought more upon the minds of Men than all that they had done: for the buſineſs at *Hull* was, by very many, thought to be done before projected; and the Argument of the Militia to be enter'd upon at firſt in paſſion, and afterwards purſued with that vehemency, inſenſibly by being engaged; and that both extravagances had ſo much weighed down the King's Treſpaſſes, in coming to the Houſe and accuſing the Members, that a reaſonable agreement would have been the ſooner conſented to on all hands. But when, by this Declaration, they ſaw Foundations laid, upon which not only what had been already done, would be well juſtified, but whatſoever they ſhould hereafter, find convenient to ſecond what was allready done; and that not only the King, but the Regal Power was either ſuppreſſed, or depoſited in other hands, the irregularity, and monſtrouſneſs of which Principles found little oppoſition or reſiſtance, even for the Irregularity, and Monſtrouſneſs: Very many thought it as unſafe to be preſent at thoſe Conſultations, as to conſent to the Concluſions; and ſo great Numbers of the Members of both Houſes, abſenting themſelves; and many eſpecially of the Houſe of Peers, reſorted to his Majeſty at *York*. So that, in the Debates of the higheſt conſequence, there was not uſually preſent in the Houſe of Commons, the fifth part of their juſt Numbers; and, very often not above a Dozen or Thirteen, in the Houſe of Peers. In the mean time the King had a full Court, and received all Comers with great clemency, and grace; calling always all the Peers to councel and communicating with them all ſuch Declarations, as he thought fit to publiſh an Anſwer to thoſe of the Parliament; and all Meſſages, and whatever elſe was neceſſary to be done for the improvement of his condition: And having now the Great Seal with him, iſſued ſuch Proclamations, as were ſeaſonable for the preſervation of the Peace of the Kingdom. Firſt he publiſhed a Declaration in Anſwer to that of the nineteenth of *May*, in which his Majeſty ſaid,

His Majeſty's Anſwer to the Declaration of the 19 thof May.

" That if he could be weary of taking any pains for the ſatisfaction of his Peo- " ple, and to undeceive them of thoſe ſpecious, miſchievous infuſions, which were " daily inſtilled into them to ſhake, and corrupt their Loyalty, and Affection to " his Majeſty and his Government, after ſo full and ample Declaration of him- " ſelf and intentions, and ſo fair and ſatisfactory Anſwers to all ſuch matters as " had been objected to him, by a Major Part preſent of both Houſes of Parlia- " ment, He might well give over that labour of his Pen and ſit ſtill, till it ſhould " pleaſe God to enlighten the affections, and underſtandings of his good Subjects " on his behalf (which he doubted not, but that, in His good Time, he would " do) that they might ſee His ſufferings were Their ſufferings: But ſince, inſtead " of applying themſelves to the method, propoſed by his Majeſty, of making ſuch " ſolid particular Propoſitions, as might eſtabliſh a good underſtanding between " them, or of following the advice of his Council of *Scotland* (with whom they " communicate their affairs) in forbearing all means that might make the breach " wider, and the wound deeper; they had choſen to purſue his Majeſty, with " new Reproaches, or rather to continue and improve the old, by adding, and " varying little Circumſtances and Language, in matters formerly urged by them " and fully anſwered by his Majeſty, He had prevailed with himſelf, upon very " mature and particular conſideration of it, to Anſwer the late printed " Book entituled a Declaration, or Remonſtrance of the Lords and Commons, " which was order'd, the nineteenth of *May* laſt to be printed and " publiſhed; hoping then, that they would put his Majeſty to no more of that " trouble, but that That ſhould have been the laſt of ſuch a Nature, they would " have communicated to his People; and that they would not, as they had done " ſince, have thought fit to aſſault him with a newer Declaration, indeed of a " very New nature, and Learning; which ſhould have another Anſwer; and he " doubted not, but that his good Subjects would, in ſhort time, be ſo well inſtruc-

" ted

" ted in the differences, and miſtakings between them, that they would plainly " diſcern, without reſigning their reaſon and underſtanding to His Prerogative, " or the Infallibility of a new Major part of both Houſes of Parliament (infected " by a few Malignant Spirits) where the Fault was.

" His Majeſty ſaid, tho' he ſhould, with all humility and alacrity, be always for- " ward to acknowledge the infinite Mercy and Providence of Almighty God, " vouchſafed, ſo many ſeveral Ways, to himſelf and this Nation; yet ſince God " himſelf doth not allow, that we ſhould fancy, and create dangers to our ſelves, " that we might manifeſt, and publiſh his Mercy in our Deliverance; He " muſt profeſs, that he did not know thoſe Deliverances, mentioned " in the beginning of that Declaration, from ſo many wicked Plots and Deſigns, " ſince the beginning of this Parliament; which if they had taken effect, would " have brought ruin and deſtruction upon this Kingdom. His Majeſty well knew " the great labour and skill which had been uſed to amuſe, and affright his good " Subjects with fears, and apprehenſions of Plots and Conſpiracies; the ſeveral " Pamphlets publiſhed, and Letters ſcatter'd up and down, full of ſuch ridiculous " contemptible animadverſions to that purpoſe, as (tho' they found, for what " end God knows, very unuſual countenance) no Sober man would be moved with " them. But, he muſt confeſs, he had never been able to inform himſelf of any " ſuch pernicious, form'd deſign againſt the Peace of the Kingdom, ſince the be- " ginning of this Parliament, as was mention'd in that Declaration; or which " might be any Warrant to thoſe great Fears, both Houſes of Parliament ſeem'd " to be tranſported with; but he had great reaſon to believe, that more miſ- " chief and danger had been raiſed and begotten, to the diſturbance of the King- " dom, than cured and prevented, by thoſe Fears and Jealouſies. And therefore, " however the rumour, and diſcourſe of Plots and Conſpiracies, might have been " neceſſary to the Deſigns of particular Men, they ſhould do well not to pay any " falſe Devotions to Almighty God, who diſcerns whether our dangers are real " or pretended.

" For the bringing up of the Army to *London*, as his Majeſty had heretofore " by no other direction than the teſtimony of a good Conſcience called God to " Witneſs that he never had, or knew of any ſuch Reſolution; ſo he ſaid, upon " the view of the Depoſitions now publiſhed with that Declaration, it was not " evident to his Majeſty that there was ever ſuch a Deſign: unleſs every looſe " Diſcourſe, or Argument, be evidence enough of a Deſign: And it was apparent, " that what had been ſaid of it, was near three Months before the Diſcovery to " both Houſes of Parliament; ſo that if there were any danger threaten'd that " way it vaniſh'd without any reſiſtance or prevention by the Wiſdom, Power, " or Authority of Them.

" It ſeem'd the intention of that Declaration, whatſoever other End it had, " was to anſwer a Declaration, they had received from his Majeſty, in Anſwer " to that which was preſented to his Majeſty at *New Market*, the 9th of *March* " laſt, and likewiſe his Anſwer to the Petition of both Houſes, preſented to him " at *York*, the 26th of *March*: But, before it fell upon any Particular of his Ma- " jeſty's Declaration or Anſwer, it complain'd that the Heads of the Malignant " Party had, with much Art and Induſtry, adviſed him to ſuffer divers unjuſt Scan- " dals and Imputations upon the Parliament, to be publiſhed in His Name, where- " by they might make it odious to the People, and, by their help, deſtroy it: but " not inſtancing in any one Scandal, or Imputation, ſo publiſhed by his Ma- " jeſty, he was, he ſaid, ſtill to ſeek for the Heads of that Malignant Party. But " his good Subjects would eaſily underſtand, that if he were guilty of that aſper- " ſion, he muſt not only be active in raiſing the Scandal, but paſſive in the miſ- " chief begotten by that Scandal, his Majeſty being an Eſſential part of the parlia- " ment; and he hoped the juſt Defence of Himſelf and his Authority, and the " neceſſary Vindication of his Innocence and Juſtice from the imputations laid on " him, by a Major part then preſent of either or both Houſes, ſhould no " more be called a Scandal upon the Parliament, than the opinion of ſuch a part " be reputed an Act of Parliament: And he hoped his good Subjects would not " be long miſled, by that common expreſſion in all the Declarations, wherein they " uſurp the Word Parliament, and apply it to countenance any Reſolution or " Vote ſome few had a mind to make, by calling it the Reſolution of Parliament; " which could never be without his Majeſty's Conſent; neither could the Vote " of either or both Houſes make a greater alteration in the Laws of the King-

" dom (ſo ſolemnly made by the advice of their Predeceſſors, with the Concur-
" rence of his Majeſty and his Anceſtors) either by commanding, or inhibiting
" any thing (beſides the known rule of the Law) than his ſingle Direction or
" Mandate could do, to which he did not aſcribe that Authority.

" But that Declaration informed the People, that the Malignant Party had
" drawn his Majeſty into the Northern Parts, far from his Parliament. It
" might, his Majeſty ſaid, more truly and properly have ſaid, that it had Driven,
" than Drawn him thither; for, he confeſſed, his Journey thither (for which he
" had no other reaſon to be ſorry, than with reference to the Cauſe of it) was
" only forced upon him, by the true Malignant Party; which contrived and
" countenanced thoſe barbarous Tumults, and other ſeditious Circumſtances, of
" which he had ſo often complain'd, and hereafter ſhould ſay more; and which in-
" deed threaten'd ſo much danger to his Perſon, and laid ſo much Scandal upon
" the Priviledge, and Dignity of Parliament, that he wonder'd it could be men-
" tion'd without bluſhes, or indignation: But of that anon: But why the Malig-
" nant Party ſhould be charged with the cauſing a Preſs to be tranſported to *York*,
" his Majeſty ſaid, he could not imagine; neither had any Papers or Writings
" iſſued from thence, to His knowledge, but what had been extorted from him
" by ſuch Provocations, as had not been before offer'd to a King. And, no doubt,
" it would appear a moſt trivial, and fond Exception, when all Preſſes were open
" to vent whatſoever they thought fit to ſay to the People (a thing unwarranted
" by former cuſtom) that his Majeſty ſhould not make uſe of all Lawful means,
" to publiſh his juſt, and neceſſary Anſwers thereunto. As for the Authority
" of the Great Seal (tho' he did not know that it had been neceſſary to things of
" that nature) the ſame ſhould be more frequently uſed hereafter, as occaſion
" ſhould require; to which he made no doubt, but the greater, and better part
" of his Privy Council would concur; and whoſe advice he was reſolved to fol-
" low, as far it ſhould be agreeable to the Good, and Welfare of the Kingdom.

" Before that Declaration vouchſafed to inſiſt upon any Particulars, it was
" pleaſed to cenſure both his Majeſty's Declaration and Anſwer to be filled with
" harſh Cenſures, and cauſleſs Charges upon the Paliament (ſtill miſapplying the
" word Parliament to the Vote of both Houſes) concerning which they reſolve to
" give ſatisfaction to the Kingdom, ſince they found it very difficult to ſatisfy his
" Majeſty. If, as in the uſage of the word Parliament, they had left his Majeſty out
" of their thoughts; ſo, by the word Kingdom, they intended to exclude all his
" People who were not within their Walls (for that was grown another Phraſe of
" the time, the Vote of the Major part of both Houſes, and ſometimes of one,
" was now called the Reſolution of the whole Kingdom) his Majeſty believed, it
" might not be hard to give ſatisfaction to Themſelves; otherwiſe he was con-
" fident (and, he ſaid, his confidence proceeded from the uprightneſs of his own
" Conſcience) they would never be able ſo to ſever the Affections of his Majeſty
" and his Kingdom, that what could not be ſatisfaction to the One, ſhould be
" to the Other: Neither would the Style of Humble, and Faithful, and telling
" his Majeſty, that they will make him a Great and Glorious King, in their Pe-
" titions and Remonſtrances, ſo deceive his good Subjects, that they would paſs
" over the Reproaches, Threats, and Menances they were ſtuffed with which ſurely
" could not be more gently reprehended by his Majeſty, then by ſaying, their
" Expreſſions were different from the uſual Language to Princes; which that De-
" claration told him, he had no occaſion to ſay: But he believed, whoſoever
" looked over that Declaration, preſented to him at *New-Market*, to which his
" was an Anſwer, would find the Language throughout it to be ſo Unuſual, that,
" before this Parliament, it could never be parallel'd; whilſt, under pretence of
" juſtifying their Fears, they gave ſo much countenance to the diſcourſe of the Re-
" bels of *Ireland*, as if they had a mind his good Subjects ſhould give credit to it:
" Otherwiſe, being warranted by the ſame evidence, which they have ſince pub-
" liſhed, they would have as well declared, That thoſe Rebels publickly threaten
" the rooting out the Name of the Engliſh, and that they will have a King of their
" own, and no longer be govern'd by his Majeſty, as that they ſay, That they do
" nothing, but by his Majeſty's Authority; and they call themſelves the Queen's
" Army. And therefore he had great reaſon to complain of the abſence of Juſtice,
" and Integrity in that Declaration; beſides the unfitneſs of other Expreſſions.

" Neither did his Majeſty miſtake the Subſtance, or Logick of their Meſſage
" to him, at *Theobalds*, concerning the Militia; which was no other, and was

" ſtated

" ſtated to be no other even by that Declaration that reproved him, than a plain " Threat, That if his Majeſty refuſed to joyn with them, they would make a " Law without him: Nor had the Practice ſince that time been other; which " would uever be juſtified to the moſt ordinary, if not partial underſtandings, " by the meer averring it to be according to the Fundamental Laws of this " Kingdom without giving any directions, that the moſt Cunning and Learned " Men in the Laws, might be able to find thoſe Foundations. And he would " appeal unto all the world, whether they might not, with as much Juſtice, " and by as much Law, have ſeized upon the Eſtate of every Member of both " Houſes, who diſſented from that pretended Ordinance (which much the Ma- " jor part of the Houſe of Peers did, two or three ſeveral times) as they had " invaded that Power of His over the Militia, becauſe he, upon reaſons they " had not ſo much as pretended to Anſwer, refuſed to Conſent to that Propo- " ſition.

" And if no better Effects, than loſs of Time, and hinderance of the publick " Affairs, had been found by his Anſwers and Replies, all good Men might " judge by whoſe Default, and whoſe want of Duty, ſuch Effects had been; " for as his End, indeed his only End, in thoſe Anſwers and Replies, had been " the ſettlement and compoſure of publick Affairs; ſo, he was aſſured, and moſt " Men did believe, that if that due regard and reverence had been given to his " Words, and that conſent and obedience to his Counſels, which he expected, " there had been, before that time, a chearful Calm upon the face of the whole " Kingdom; every Man enjoying his own, with all poſſible peace and ſecurity " that can be imagined; which ſurely thoſe Men did not deſire, who (after all " thoſe Acts of Juſtice, and Favour paſſed by him, this Parliament; all thoſe " Sufferings, and Affronts, endured and undergone by him) thought fit ſtill to " reproach him with Ship-money, Coate and Conduct-money, and other things " ſo abundantly declared, as that Declaration it ſelf confeſſed, in the general " Remonſtrance of the State of the Kingdom, publiſhed in *November* laſt; " which his Majeſty wonder'd to find now avow'd to be the Remonſtrance " of both Houſes; and which, he was ſure, was preſented to him only by the " Houſe of Commons; and did never, and, he was confident, in that time " could never have paſſed the Houſe of Peers; the Concurrence, and Authority " of which, was not then thought neceſſary. Should his Majeſty believe thoſe " Reproaches to be the Voice of the Kingdom of *England?* That all his loving " Subjects eaſed, refreſhed, ſtrengthen'd, and abundantly ſatisfied with his Acts " of Grace and Favour towards them, were willing to be involved in thoſe un- " thankful Expreſſions? He would appeal to the Thanks, and Acknowledge- " ments, publiſhed in the Petitions of moſt of the Counties of *England*; to " the Teſtimony, and Thanks, he had received from both Houſes of Parlia- " ment; how ſeaſonable, how agreeable that uſage was to his Majeſty's Merit, " or their former Expreſſions.

" His Majeſty ſaid, he had not at all ſwerved, or departed from his Reſolu- " tions, or Words, in the beginning of this Parliament: He had ſaid, he was ", reſolved to put himſelf freely, and clearly upon the Love and Affection of his " Engliſh Subjects; and he ſaid ſo ſtill, as far as concerns *England*. And he cal- " led Allmighty God to Witneſs, all his Complaints and Jealouſies, which had " never been cauſleſs, nor of his Houſes of Parliament (but of ſome few Schiſ- " matical, Factious, and Ambitious Spirits; and upon grounds, as he feared " a ſhort time would juſtify to the world) his Denial of the Militia, his abſent- " ing himſelf from *London*, had been the effects of an upright, and faithful Af- " fection to his Engliſh Subjects; that he might be able, through all the incon- " veniences he might be compelled to wreſtle with, at laſt to preſerve, and re- " ſtore their Religion, Laws, and Liberties unto them.

" Since the Proceeding againſt the Lord *Kimbolton*, and the five Members " was ſtill looked upon, and ſo often preſſed, as ſo great an advantage againſt " his Majeſty, that no Retractation made by him, nor no Action ſince that time " committed againſt Him, and the Law of the Land, under the pretence of Vin- " dication of Priviledge, could ſatisfy the Contrivers of that Declaration, but " that they would have his good Subjects believe, The Accuſation of thoſe ſix " Members muſt be a Plot for the breaking the Neck of the Parliament (a " ſtrange Arrogance if any of thoſe Members had the Penning of that Declaration) " and that it was ſo often urged againſt him, as if by that ſingle, caſual Miſtake

" of his, in Form only, he had forfeited all Duty, Credit, and Allegiance from " his People, he ſaid, he would, without endeavouring to excuſe that, which in " truth was an Errour (his going to the Houſe of Commons) give his People a full, " and clear narration of the matter of Fact; aſſuring himſelf, that his good " Subjects would not find his carriage in that buſineſs, ſuch as had been reported.

" His Majeſty ſaid, that when he reſolved, upon ſuch grounds as, when they " ſhould be publiſhed, would ſatisfy the world, that it was fit, for his own " Safety and Honour, and the Peace of the Kingdom, to proceed againſt " thoſe Perſons; tho' he well knew, there was no degree of Priviledge in " that Caſe, yet to ſhew his deſire of Correſpondence with the two Houſes " of Parliament, he choſe rather than to apprehend their Perſons by the ordi- " nary Miniſters of Juſtice (which, according to the opinion, and practice of " former times, he might have done) to command his Atturney General, to " acquaint his Houſe of Peers with his intention, and the general matters of " his charge (which was yet more particular, than a meer accuſation) and to " proceed accordingly; and at the ſame time ſent a ſworn Servant, a Serjeant " at Armes, to the Houſe of Commons, to acquaint them, that his Majeſty did " accuſe, and intended to proſecute the five Members of that Houſe for High- " Treaſon; and did require, that their Perſons might be ſecured in Cuſtody. " This he did, not only to ſhew that he intended not to violate, or invade " their Priviledges, but to uſe more Ceremony towards them, than he then con- " ceived in juſtice might be required of him; and expected at leaſt ſuch an An- " ſwer, as might inform him, if he were out of the way; but he received none " at all; only in the Inſtant, without offering any thing of their Priviledges to " his conſideration, an Order was made, and the ſame night publiſhed in Print, " That if any Perſon whatſoever, ſhould offer to arreſt the Perſon of any Mem- " ber of that Houſe, without firſt acquainting that Houſe therewith, and re- " ceiving further Order from that Houſe, that it ſhould be Lawful for ſuch " Member, or any Perſon, to reſiſt them, and to ſtand upon his, or their Guard " of Defence; and to make Reſiſtance, according to the Proteſtation taken to " Defend the Priviledge of Parliament: And this was the firſt time that he " heard the Proteſtation might be wreſted to ſuch a ſenſe, or that in any Caſe, " tho' of the moſt undoubted and unqueſtionable Priviledge, it might be Lawful " for any Perſon to reſiſt, and uſe violence againſt a publick Miniſter of Juſtice, " armed with Lawful Authority; tho' his Majeſty well knew, that even ſuch a " Miniſter might be puniſhed for executing ſuch Authority.

" Upon Viewing that Order, his Majeſty confeſſed, he was ſomewhat ama- " zed, having never ſeen, or heard of the like; tho' he had known Members " of either Houſe committed without ſo much Formality as he had uſed, and " upon Crimes of a far inferior nature to thoſe, he had ſuggeſted; and having " no courſe propoſed him for his Proceeding, he was, upon the matter, only " told, that againſt thoſe Perſous he was not to proceed at all; that they were " above His reach, or the reach of the Law, It was not eaſy for him to reſolve " what to do: If he imployed his Miniſters of Juſtice in the uſual way for their " apprehenſion, who without doubt would not have refuſed to have executed " his Lawful Commands, he ſaw what oppoſition, and reſiſtance, was like to be " made; which, very probably, might have coſt ſome Blood: If he ſate ſtill, " and deſiſted upon that Terrour, he ſhould, at the beſt, have confeſſed his own " want of Power, and the weakneſs of the Law. In that ſtreight, he put on a " ſuddain Reſolution, to try whether his own Preſence, and a clear diſcovery of " his Intention, which happily might not have been ſo well underſtood, could " remove thoſe Doubts, and prevent thoſe Inconveniences, which ſeem'd to " have been threaten'd; and, thereupon, he reſolved to go, in his own Perſon, " to the Houſe of Commons; which he diſcovered not, till the very minute of " his going; when he ſent out Orders, that his Servants, and ſuch Gentlemen " as were then in his Court, ſhould attend him to *Weſtminſter*; but giving them " expreſs Command, as he had expreſſed in his Anſwer to the Ordinance, that " no Accidents, or Provocation, ſhould draw them to any ſuch Action, as might " imply a purpoſe of Force in his Majeſty: And Himſelf, requiring thoſe of " his Train not to come within the Door, went into the Houſe of Commons; " the bare doing of which, he did not then conceive, would have been thought " more a breach of Priviledge, than if he had gone to the Houſe of Peers, and " ſent for them to come to him; which was the uſual cuſtom.

" He

" He uſed the beſt Expreſſions he could, to aſſure them how far he was from " any intention of violating their Priviledges; that he intended to proceed le- " gally, and ſpeedily againſt the Perſons he had accuſed; and deſired therefore, " if they were in the Houſe, that they might be delivered to him; or if ab- " ſent, that ſuch courſe might be taken for their forth coming, as might ſatis- " fy his juſt Demands, and ſo he departed, having no other purpoſe of Force, " if they had been in the Houſe, than he had before proteſted, before God, in " his Anſwer to the Ordinance. They had an account now of His part of that " ſtory fully; his People might judge freely of it. What followed on Their " part (tho' that Declaration ſaid, it could not withdraw any part of their re- " verence and obedience from his Majeſty; it might be any part of Theirs it " did not) he ſhould have too much cauſe hereafter to inform the World.

" His Majeſty ſaid, there would be no end of this diſcourſe, and of upbraiding " him with evil Counſellors, if, upon his conſtant denial of knowing any, they " would not vouchſafe to inform him of them; and after eight Months amuſing " the Kingdom with the expectation of the diſcovery of a Malignant Party, and " of evil Counſellors, they would not at laſt name any, nor deſcribe them. Let " the Actions or Lives of Men be examined, Who had contrived, counſelled, a- " ctually conſented to grieve, and burthen his People; and if ſuch were now " about his Majeſty, or any againſt whom any notorious, malicious crime could " be proved, if He ſhelter'd and protected any ſuch, let his Injuſtice be publiſhed " to the world: but till that were done Particularly and Manifeſtly (for he ſhould " never conclude any Man upon a bare, general Vote of the Major part of ei- " ther, or both Houſes, till it were evident, that that Major part was without " Paſſion or Affection) he muſt look upon the charge that Declaration put upon " him, of cheriſhing and countenancing a diſcontented party of the Kingdom a- " gainſt them, as a hevier and unjuſter Tax upon his Juſtice and Honour, than " any He had, or could lay, upon the framers of that Declaration. And now, " to countenance thoſe unhandſome Expreſſions, whereby they uſually had implied " his Majeſty's connivance at, or want of *Zeal* againſt, the Rebellion of *Ireland* " (ſo odious to all good Men) they had found a new way of exprobation: That " the Proclamation againſt thoſe bloody Traytors came not out, till the begin- " ning of *January*, tho' that Rebellion broke out in *October*; and then, by ſpecial " command from his Majeſty, but forty copies were appointed to be printed. " His Majeſty ſaid it was well known where he was at that time, when that Re- " bellion broke forth; in *Scotland*: That He immediately, from thence, recom- " mended the care of that Buſineſs to both Houſes of Parliament here, after " he had provided for all fitting Supplies from his Kingdom of *Scotland*: That " after his return hither, he obſerved all thoſe Forms for that Service, which " he was adviſed to by his Council of *Ireland*, or both Houſes of Parliament " here; and if no Proclamation iſſued out ſooner (of which, for the preſent, " he was not certain; but thought that others, by his directions, were iſſued " before that time) it was, becauſe the Lords Juſtices of the Kingdom deſired " them no ſooner; and when they did, the Number they deſired was but Twen- " ty; which they adviſed might be ſigned by his Majeſty; which he, for expe- " dition of the Service, commanded to be printed; a Circumſtance not required " by them: thereupon he ſigned more of them, than his Juſtices deſired; all " which was very well known to ſome Members of one, or both Houſes of Par- " liament; who had the more to Anſwer, if they forbore to expreſs it at the " paſſing of that Declaration; and if they did expreſs it, he had the greater " reaſon to complain, that ſo envious an Aſperſion ſhould be caſt on his Majeſty " to his People, when they knew well how to anſwer their own Objection.

" What that Complaint was againſt the Parliament, put forth in His Name, " which was ſuch an Evidence and Countenance to the Rebels, and ſpoke the " ſame Language of the Parliament which the Rebels did; he ſaid he could not " underſtand. All his Anſwers and Declarations had been, and were, own'd " by himſelf; and had been atteſted under his own hand; if any other had " been publiſhed in his Name, and without his Authority, it would be eaſy for " both Houſes of Parliament to diſcover, and apprehend the Authors: And " he wiſhed that whoſoever was truſted with the Drawing, and Penning " that Declaration, had no more Authority, or Cunning to impoſe upon, or de- " ceive a Major part of thoſe Votes by which it paſſed, than any Man had to " prevail with his Majeſty to publiſh in his Name any thing, but the ſenſe, and

" reſolution of his own Heart: or that the contriver of that Declaration could, " with as good a Couſcience call God to Witneſs that all his Counſels and En- " deavours had been free from all private Aimes, perſonal Reſpects or Paſſions " whatſoever, as his Majeſty had done, and did, That he never had, or knew of " any ſuch Reſolution of bringing up the Army to *London*.

" And ſince that new Device was found out, inſtead of Anſwering his reaſons; " or ſatisfying his juſt demands, to blaſt his Declarations and Anſwers, as if " they were not his own; a bold, ſenſleſs Imputation: He ſaid he was ſure, that " every Anſwer, and Declaration, publiſhed by his Majeſty, was much more his " own, than any one of thoſe bold, threatning, and reproachful Petitions, and " Remonſtrances, were the Acts of either, or both Houſes. And if the Pen- " ner of that Declaration had been careful of the Truſt repoſed in him, he " would never have denied (and thereupon found fault with his Majeſty's juſt " Indignation) in the Text or Margent, that his Majeſty, had never been char- " ged with the Intention of any Force; and that in their whole Declaration, " there was no one word tending to any ſuch reproach; the contrary whereof " was ſo evident, that his Majeſty was, in expreſs terms, charged in that Decla- " ration, that he had ſent them gracious Meſſages, when, with His privity, " bringing up the Army was in agitation; and, even in that Declaration, they " ſought to make the People believe ſome ſuch thing to be proved, in the de- " poſitions therewith publiſhed; wherein, his Majeſty doubted not, they would " as much fail, as they did in their cenſure of that Petition, ſhewed formerly " to his Majeſty by Captain *Leg*, and ſubſcribed by him C. R. which notwith- " ſtanding his Majeſty's full, and particular narration of the ſubſtance of that " Petition, the circumſtances of his ſeeing and approving it, that Declaration was " pleaſed to ſay, was full of Scandal to the Parliament, and might have proved " dangerous to the whole Kingdom. If they had that dangerous Petition in their " hands, his Majeſty ſaid, he had no reaſon to believe any tenderneſs towards him " had kept them from communicating it; if they had it not, his Majeſty ought " to have been believed: But that all good People might compute their other " pretended dangers by their clear underſtanding of that, the noiſe whereof had " not been inferiour to any of the reſt, hisMajeſty ſaid he had recovered a trueCo- " py of the very Petition he had ſigned with C. R. which ſhould, in fit time, " be publiſhed; and which, he hoped, would open the eyes of his good Peo- " ple.

" Concerning his Warrant for Mr. *Jermyn*'s Paſſage, his Anſwer was true, " and full; but for his black ſattin Suit, and white Boots, he could give no " Account.

" His Majeſty had complained in his Declaration, and as often as he ſhould " have occaſion to mention his return, and reſidence near *London*, he ſhould com- " plain, of the barbarous and ſeditious Tumults at *Whitehall* and *Weſtminſter*; " which indeed had been ſo full of Scandal to his Government and danger to his " Perſon, that he ſhould never think of his return thither, till he had Juſtice for " what was paſt, and Security for the time to come: And if there were ſo great " a neceſſity, or deſire of his return, as was pretended, in all this time, upon ſo " often preſſing his deſires, and upon cauſes ſo notorious, he ſhould at leaſt have " procured ſome Order for the future. But that Declaration told his Majeſty " he was, upon the matter, miſtaken; the reſort of the Citizens to *Weſtminſter* " was as lawful, as the reſort of great Numbers every day in the Term to the " ordinary Courts of Juſtice; They knew no Tumults. Strange! was the diſ- " orderly appearance of ſo many thouſand People, with Staves and Swords, " crying through the Streets, *Weſtminſter*-Hall, the Paſſage between both Hou- " ſes (inſomuch as the Members could hardly paſs to and fro) *No Biſhops, down* " *with the Biſhops*, No Tumults? What Member was there of either Houſe, " that ſaw not thoſe Numbers, and heard not thoſe Cries? And yet lawful Aſ- " ſemblies! Were not ſeveral Members of either Houſe, aſſaulted, threaten'd, " and evilly entreated? And yet no Tumults! Why made the Houſe of Peers a " Declaration, and ſent it down to the Houſe of Commons for the ſuppreſſing " of Tumults, if there were no Tumults? And if there were any, why was " not ſuch a Declaration conſented to, and publiſhed? When the Attempts were " ſo viſible, and threats ſo loud to pull down the Abby at *Weſtminſter*, had not " his Majeſty juſt cauſe to apprehend, that ſuch People might continue their " work to *White-Hall*? Yet no Tumults! What a ſtrange time are we in, that a

" few

" few impudent, malicious (to give them no worſe term) Men ſhould caſt " ſuch a Miſt of errour before the eyes of both Houſes of Parliament, as that " they either could not, or would not, ſee how manifeſtly they injured them- " ſelves, by maintaining thoſe viſible untruths. His Majeſty ſaid, he would " ſay no more : by the help of God and the Law, he would have Juſtice for " thoſe Tumults.

" From excepting, how weightily every Man might judge to what his Maje- " ſty had ſaid, that Declaration proceeded to cenſure him for what he had Not " ſaid ; for the prudent Omiſſions in his Anſwers : His Majeſty had forborn to " ſay any thing of the words ſpoken at *Kenſington*; or the Articles againſt his " deareſt Conſort, and the Accuſation of the ſix Members : Of the laſt, his Ma- " jeſty ſaid, he had ſpoken often ; and, he thought, enough of the other two ; " but having never accuſed any (tho' God knew what truth there might be in ei- " ther) he had no reaſon to give any particular Anſwer.

" He ſaid, he did not reckon himſelf bereaved of any part of his Prerogative ; " which he was pleaſed freely, for a time, to part with by Bill ; yet he muſt ſay, " he expreſſed a great Truſt in his two Houſes of Parliament, when he deveſted " himſelf of the power of diſſolving this Parliament ; which was a juſt, neceſ- " ſary, and proper Prerogative. But he was glad to hear their reſolution, that it " ſhould not encourage them to do any thing, which otherwiſe had not been fit " to have been done : If it did, it would be ſuch a breach of Truſt, as God " would require an Account for at their hands,

" For the Militia, he had ſaid ſo much of it before, and the Point was ſo well " underſtood by all Men, that he would waſte time no more in that Diſpute. He " never had ſaid, there was no ſuch thing as an Ordinance, tho' he knew that " they had been long diſuſed, but that there was never any Ordinance or could " be any, without the King's conſent ; and that was true : And the unneceſſary " Precedent, cited in that Declaration, did not offer to prove the contrary. But " enough of that ; God and the Law muſt determine that buſineſs.

" Neither had that Declaration, given his Majeſty any ſatisfaction concerning " the Votes of the fifteenth and ſixteenth of *March* laſt ; which he muſt declare, " and appeal to all the world in the Point, to be the greateſt violation of his " Majeſty's Priviledge, the Law of the Land, the Liberty of the Subject, and " and the Right of Parliament, that could be imagined. One of thoſe Votes " was, and there would need no other to deſtroy the King and People, That when " the Lords and Commons (it is well the Commons are admitted to their part " in Judicature) ſhall declare what the Law of the Land is, the ſame muſt be " aſſented to, and obeyed : that is the ſenſe in few words. Where is every " Man's Property ; every Man's Liberty ? If the Major part of both Houſes de- " clare, that the Law is, that the younger Brother ſhall inherit ; what is be- " come of all the Families, and Eſtates in the Kingdom ? If they declare, " that by the Fundamental Laws of the Land, ſuch a raſh Action, ſuch an un- " adviſed Word, ought to be puniſhed by perpetual Impriſonment, is not the " Liberty of the Subject, *durante beneplacito*, remedileſs ? That Declaration " confeſſes, they pretend not to a power of making new Laws ; that without " his Majeſty, they could not do That : They needed no ſuch power, if their " Declaration could ſuſpend this Statute from being obeyed, or executed. If " they had power to declare the Lord *Digby*'s waiting upon his Majeſty, at *Hamp-* " *ton*-Court, and thence viſiting ſome Officers at *Kingſton*, with a Coach and ſix " Horſes, to be levying of War, and High-Treaſon ; and Sir *John Hotham*'s " defying his Majeſty to his face, keeping his Majeſty's Town, Fort, and Goods " againſt him, by force of Arms, to be an Act of Affection, and Loyalty ; " What needed a power of making new Laws ? Or would there be ſuch a thing " as Law left ?

" He deſired his good Subjects to mark the reaſon, and conſequence of thoſe " Votes ; and the progreſs they had already made, and how infinite the progreſs " might be. Firſt, they voted the Kingdom was in Imminent danger (it was " now above three Months ſince they diſcerned it) from Enemies abroad, and " from a Popiſh, and diſaffected party at home ; that is matter of Fact ; the " Law follows : This Vote had given them Authority by Law, the Fundamen- " tal Laws of the Kingdom, to order and diſpoſe of the Militia of the King- " dom ; and, with this Power, and to prevent that danger, to enter into his " Majeſty's Towns, ſeiſe upon his Magazine, and, by Force, keep both from

" him. Was not that his Majeſty's Caſe? Firſt, they Vote he had an Intention " to levy War againſt his Parliament; that is matter of Fact: Then they de- " clare ſuch as ſhall aſſiſt him, to be guilty of High-Treaſon; that is the Law, " and proved by two Statutes Themſelves knew to be repealed. No matter for " that, They declare it. Upon this ground they exerciſe the Militia; and ſo " actually do that upon his Majeſty, which they had Voted He intended to do " upon Them. Who could not ſee the confuſion, that muſt follow upon ſuch " power of Declaring? If they ſhould now Vote that his Majeſty did not write " this Declaration, but that ſuch a One did it, which was ſtill matter of Fact; " and then Declare, that, for ſo doing, he was an Enemy to the Common- " wealth; what was become of the Law that Man was born to? And if all " their Zeal for the defence of the Law, were but to defend that which they De- " clared to be Law; their own Votes; it would not be in their power to ſatis- " fy any Man of their good Intentions to the publick Peace, but ſuch who were " willing to relinquiſh their Title to *Magna Charta*, and hold their Lives, and " and Fortunes, by a Vote of the Major part of both Houſes. In a word, his " Majeſty denied not, but they might have power to declare in a particular, " doubtful Caſe, regularly brought before them, what Law is: But to make a " general Declaration, whereby the known rule of the Law might be croſſed, " or altered, they had no power; nor could exerciſe any, without bringing " the Life and Liberty of the Subject to a Lawleſs, and Arbitrary Subjection.

" His Majeſty had complained (and the world might Judge of the Juſtice, " and Neceſſity of that complaint) of the multitude of ſeditious Pamphlets, " and Sermons; and that Declaration told him, they knew he had ways enough " in his ordinary Courts of Juſtice to puniſh thoſe; ſo, his Majeſty ſaid, he had " to puniſh Tumults and Riots; and yet they would not ſerve his turn to keep " his Towns, his Forreſts, and Parks from violence. And it might it be, tho' " thoſe Courts had ſtill the Power to puniſh, they might have loſt the skill to " define, what Tumults and Riots are; otherwiſe a Jury in *Southwark*, legally " impannelled to examine a Riot there, would not have been ſuperſeded, and " the Sheriff enjoyn'd not to proceed, by virtue of an Order of the Houſe of " Commons; which, it ſeem'd, at that time had the ſole power of Declaring. " But it was no wonder that they who could not ſee the Tumults, did not con- " ſider the Pamphlets and Sermons; tho' the Author of *The Proteſtation Proteſted*, " were well known to be *Burton* (that infamous diſturber of the Peace of " the Church and State) and that he Preached it at *Weſtminſter*, in the " hearing of divers Members of the Houſe of Commons. But of ſuch Pam- " phlets and ſeditious Preachers (divers whereof had been recommended, if " not impoſed upon ſeveral Pariſhes, by ſome Members of both Houſes, by what " Authority his Majeſty knew not) he would hereafter take a further Ac- " count.

" His Majeſty ſaid, he confeſſed he had little skill in the Laws; and thoſe " that had moſt, he found now were much to ſeek: Yet he could not underſtand " or believe, that every ordinary Court, or any Court, had power to raiſe what " Guard they pleaſed, and under what Command they pleaſed. Neither could " he imagine, what dangerous Effects they found by the Guard he appointed " them; or indeed any the leaſt occaſion, why they needed any Guard at all.

" But of all the Imputations, ſo cauſleſsly and unjuſtly laid upon his Majeſty " by that Declaration, he ſaid, he muſt wonder at that Charge ſo apparently, " and evidently Untrue; That ſuch were continually preferred, and countenan- " ced by him, who were friends or favourers, or related unto the chief Authors, " and Actors of that Arbitrary Power heretofore practiced, and complained of: " And on the other ſide, that ſuch as did appear againſt it, were daily diſcoun- " tenanced, and diſgraced. He ſaid, he would know one Perſon that contribu- " ted to the Ills of thoſe times, or had dependance upon thoſe that did, whom " he did, or lately had countenanced, or preferred; nay, he was confident (and " he looked for no other at their hands) as they had been allways moſt Eminent " Aſſertors of the publick Liberties; ſo if they found his Majeſty inclined to " any thing not agreeable to Honour and Juſtice, they would leave him to mor- " row. Whether different Perſons had not, and did not receive countenance " elſewhere, and upon what grounds, all men might judge; and whether his " Majeſty had not been forward enough to honour and prefer thoſe of the moſt " contrary opinion, how little comfort ſoever he had of thoſe Preferments;

" in

" in beſtowing of which, hereafter, he would be more guided by Men's Actions,
" than Opinions. And therefore he had good cauſe to beſtow that admonition
" (for his Majeſty aſſured them, it was an admonition of his Own) upon both
" his Houſes of Parliament, to take heed of inclining, under the ſpecious ſhews
" of Neceſſity and Danger to the exerciſe of ſuch an Arbitrary Power, they
" before complain'd of: The Advice would do no harm, and he ſhould be glad
" to ſee it followed.

" His Majeſty asked, if all the ſpecious Promiſes, and loud Profeſſions, of
" making him a great and glorious King; of ſettling a greater Revenue upon
" his Majeſty, than any of his Anceſtors had enjoyed; of making him to be ho-
" nour'd at home, and fear'd abroad? were reſolved into this, That they would
" be ready to ſettle his Revenue in an Honourable proportion, when he ſhould
" put himſelf into ſuch a poſture of Government, that his Subjects might be
" ſecure to enjoy his juſt Protection for their Religion, Laws, and Liberties?
" What poſture of Government they intended, he knew not; nor could he ima-
" gine what ſecurity his good Subjects could deſire for their Religion, Laws,
" and Liberties, which he had not offer'd or fully given. And was it ſuitable to
" the Duty and Dignity of both Houſes of Parliament, to Anſwer his parti-
" cular, weighty Expreſſions of the cauſes of his remove from *London*, ſo ge-
" nerally known to the Kingdom, with a Scoff; That they hoped he was driven
" from thence, not by his own fears, but by the fears of the Lord *Digby*, and his
" retinue of Cavaliers; Sure, his Majeſty ſaid, the Penner of that Declaration,
" inſerted that ungrave and inſolent Expreſſion, as he had done divers others,
" without the conſent, or examination of both Houſes; who would not ſo
" lightly have departed from their former profeſſions of Duty to his Majeſty.

" Whether the way to a good underſtanding between his Majeſty, and his
" People, had been as zealouſly preſſed by Them, as it had been profeſſed, and
" deſired by Him, would be eaſily diſcerned by them, who obſerved, that He
" had left no publick Act undone on his part, which, in the leaſt degree, might
" be neceſſary to the peace, plenty, and ſecurity of his Subjects: And that They
" had not diſpatched one Act, which had given the leaſt evidence of their par-
" ticular affection, and kindneſs to his Majeſty; but, on the contrary, had diſ-
" countenanced and hinder'd the Teſtimony other Men would give to him of
" their affections. Witneſs the ſtopping, and keeping back the Bill of Subſidies,
" granted by the Clergy allmoſt a year ſince; which, tho' his Perſonal wants
" were ſo notoriouſly known, they would not, to that time, paſs; ſo not only
" forbearing to ſupply his Majeſty themſelves, but keeping the love, and bounty
" of other Men from him; and affording no other Anſwers to all his deſires, all
" his reaſons (indeed not to be Anſwer'd) than that he muſt not make his un-
" derſtanding, or reaſon, the Rule of his Government; but ſuffer himſelf to be
" aſſiſted (which his Majeſty never denied) by his Great Council. He ſaid, he
" required no other Liberty to his Will, than the meaneſt of them did (he
" wiſhed they would allways uſe that Liberty) not to conſent to any thing
" evidently contrary to his conſcience, and underſtanding: And he had, and
" ſhould allways give as much eſtimation, and regard to the Advice, and Coun-
" ſel of both Houſes of Parliament, as ever Prince had done: But he ſhould
" never, and he hoped his People would never, account the Contrivance of a
" few Factions, Seditious Perſons, a Malignant Party, who would ſacrifice the
" Common-wealth to their own fury and ambition, the Wiſdom of Parliament;
" and that the juſtifying, and defending of ſuch Perſons (of whom, and of their
" particular, ſiniſter ways, to compaſs their own bad ends, his Majeſty would
" ſhortly inform the world) was not the way to preſerve Parliaments, but was
" the oppoſing, and preferring a few unworthy Perſons, before their Duty to
" their King, or Care of the Kingdom. They would have his Majeſty remem-
" ber, that His Reſolutions did concern Kingdoms, and therefore not to be
" molded by his own underſtanding: He ſaid, he did well remember it; but he
" would have Them remember, that when their Conſultations endeavoured to
" leſſen the Office, and Dignity of a King, they medled with that which is not
" within their determination, and of which his Majeſty muſt give an Account
" to God, and his other Kingdoms, and muſt maintain with the Sacrifice of
" his Life.

" Laſtly, that Declaration told the People of a preſent, deſperate, and mali-
" cious Plot the Malignant Party was then acting, under the plauſible notions of

" ſtirring Men up to a care of preſerving the King's Prerogative; maintaining " the diſcipline of the Church; upholding and continuing the reverence, and ſo- " lemnity of God's Service; and encouraging Learning (indeed plauſible, and " Honourable notions to act any thing upon) and that upon thoſe grounds divers " mutinous Petitions had been framed in *London*, *Kent*, and other places: His " Majeſty asked upon what grounds theſe Men would have Petitions framed? " Had ſo many Petitions, even againſt the form, and conſtitution of the King- " dom and the Laws eſtabliſhed, been joyfully received, and accepted? And " ſhould Petitions framed upon thoſe grounds be called Mutinous? Had a mul- " titude of mean, unknown, inconſiderable, contemptible Perſons, about " the City, and Suburbs of *London*, had liberty to Petition againſt the Govern- " ment of the Church; againſt the Book of Common Prayer; againſt the Free- " dom, and Priviledge of Parliament; and been thanked for it; and ſhould " it be called Mutiny, in the greateſt and beſt Citizens of *London*, and the " Gentry and Commonality of *Kent*, to frame Petitions upon thoſe grounds; " and to deſire to be governed by the known Laws of the Land, not by Orders " and Votes of either, or both Houſes? Could this be thought the Wiſdom, and " Juſtice of both Houſes of Parliament? Was it not evidently the work of a " Faction, within or without both Houſes, who deceived the Truſt repoſed in " them; and had now told his Majeſty, what Mutiny was? To ſtir Men up to " a care of preſerving his Prerogative, maintaining the diſcipline of the Church, " upholding and continuing the reverence, and ſolemnity of God's Service, en- " couraging of Learning, was Mutiny. Let Heaven and Earth, God and Man, " judge between his Majeſty and theſe Men: And however ſuch Petitions were " there called Mutinous; and the Petitioners threaten'd, diſcountenanced, cen- " ſured, and impriſoned; if they brought ſuch Petitions to his Majeſty, he would " graciouſly receive them; and defend Them, and their Rights, againſt what " Power ſoever, with the uttermoſt hazard of his being.

" His Majeſty ſaid, he had been the longer, to his very great pain, in this " Anſwer, that he might give the world ſatisfaction, even in the moſt trivial " Particulars, which had been objected againſt him; and that he might not be " again reproached, with any more prudent Omiſſions. If he had been compelled " to ſharper Language, than his Majeſty affected, it might be conſider'd, how " vile, how inſufferable his Provocations had been: And, except to repel force " were to aſſault, and to give punctual and neceſſary Anſwers to rough, and in- " ſolent Demands, were to make Invectives, he was confident the world would " accuſe his Majeſty of too much mildneſs; and all his good Subjects would " think, he was not well dealt with; and would judge of his Majeſty, and of " their own happineſs, and ſecurity in him, by his Actions; which he deſired " might no longer proſper, or have a Bleſſing from God upon them, and his Ma- " jeſty, than they ſhould be directed to the Glory of God in the maintenance of " the true Proteſtant Profeſſion; to the preſervation of the Property and Liber- " ty of the Subject, in the obſervation of the Laws; and to the maintenance of " the Rights and Freedom of Parliament, in the allowance and protection of all " their juſt Priviledges.

The King's Anſwer to the Declaration of May 26. 1642.

This Declaration was no ſooner publiſhed, but his Majeſty likewiſe ſet forth an Anſwer to that other Declaration, of the 26th of *May*; in which he ſaid, " That whoſoever looked over the late Remonſtrance, entituled *A Declaration* " *of the Lords and Commons*, of the 26th of *May*, would not think that his Maje- " ſty had great reaſon to be pleaſed with it; yet he could not but commend the " plain dealing, and ingenuity of the framers, and contrivers of that Declaration " (which had been wrought in a hotter, and quicker forge than any of the reſt) " who would no longer ſuffer his Majeſty to be affronted by being told, they would " make him a great and glorious King; whilſt they uſed all poſſible skill, to re- " duce him to extreme want, and indigency; and that they would make him to " be loved at home, and feared abroad; whilſt they endeavour'd, by all poſſible " ways, to render him odious to his good Subjects, and contemptible to all Fo- " reign Princes; but, like round dealing Men, told him, in plain Engliſh, That " they had done him no wrong, becauſe he was not capable of receiving any; and " that they had taken nothing from him, becauſe he had never any thing of his " own to loſe. If that Doctrine were true, and that indeed he ought to be of " no other conſideration, than they had informed his People in that Declaration,

" that

" that Gentleman was much more excuſable, that ſaid publickly, unreproved, " That the happineſs of the Kingdom did not depend on his Majeſty or upon any of " the Royal branches of that Root: And the other, who ſaid, his Majeſty was not " worthy to be King of *England*; Language very monſtrous to be allow'd by ei- " ther Houſe of Parliament; and of which, by the help of God, and the Law, " he muſt have ſome examination. But he doubted not, all his good Subjects did " now plainly diſcern, thro' the maſque and vizzard of their hypocriſy, what " their deſign was; and would no more look upon the framers and contrivers " of that Declaration, as upon both Houſes of Parliament (whoſe Freedom, and " juſt Priviledges he would allways maintain; and in whoſe behalf, he was as " much ſcandalized as for Himſelf) but as a faction of Malignant and Schiſmati- " cal, and Ambitious Perſons; whoſe deſign was, and allways had been to alter " the whole frame of Government, both of Church and State; and to ſubject " both King and People to their own Lawleſs, Arbitary Power, and Govern- " ment; of whoſe Perſons, and of whoſe deſigns his Majeſty ſaid, he would, with- " in a ſhort time, give his good Subjects and the world a full, and, he hoped, a " ſatisfactory Narration.

" The contrivers and Penners of that Declaration (of whom his Majeſty would " be only underſtood to ſpeak, when he mention'd any of their undutiful Acts a- " gainſt him) ſaid that the great Affairs of the Kingdom, and the miſerable " bleeding condition of *Ireland*, would afford them little leiſure to ſpend their " time in Declarations, Anſwers, and Replies. Indeed, his Majeſty ſaid, the mi- " ſerable, and deplorable condition of both Kingdoms would require ſomewhat " elſe at their hands: But he would gladly know how they had ſpent their time " ſince the receſs (then allmoſt eight Months) but in Declarations, Remonſtrances, " and Invectives againſt his Majeſty, and his Government; or in preparing mat- " ter for them. Had his Majeſty invited them to any ſuch expence of time, by " beginning Arguments of that Nature? Their Leiſure or their Inclination, " was not as they pretended: and what was their printing and publiſhing their " Petitions to him; their Declarations, and Remonſtrances of him; their odious " Votes and Reſolutions, ſometimes of one, ſometimes of both Houſes againſt his " Majeſty (never in that manner communicated before this Parliament) but an " Appeal to the People? And, in God's name, let them judge of the Perſons " they had truſted.

" Their firſt quarrel was (as it was allways, to let them into their frank expreſ- " ſions of his Majeſty, and his Actions) againſt the Malignant Party; whom they " were pleaſed ſtill to call, and never to prove to be his evil Counſellors. But " indeed nothing was more evident by their whole proceedings, than that by the " Malignant Party, they intended all the Members of both Houſes, who agreed not " with them in their opinion (thence had come their diſtinction of good and bad " Lords; of Perſons ill affected to the Houſe of Commons; who had been pro- " ſcribed, and their Names liſted, and read in Tumults) and all the Perſons of the " Kingdom, who approve not of their Actions. So that if in truth they would be " ingenuous, and name the Perſons they intended; Who would be the Men, upon " whom the imputation of Malignity would be caſt, but They who had ſtood " ſtoutly, and immutably for the Religion, the Liberties, the Laws; for all pub- " lick Intereſts? (ſo long as there was any to be ſtood for) They, who had all- " ways been, and ſtill were, as zealous Profeſſors, and ſome of them as able and " earneſt Defenders of the Proteſtant Doctrine againſt the Church of *Rome*, as any " were: Who had often, and earneſtly beſought his Majeſty to conſent, that no " indifferent, and unneceſſary Ceremony, might be preſſed upon weak and tender " conſciences, and that he would agree to a Bill for that purpoſe? They to whoſe " Wiſdom, Courage, and Counſel, the Kingdom owed as much as it could to " Subjects; and upon whoſe unblemiſhed Lives, Envy it ſelf could lay no Imputa- " tion; nor endeavoured to lay any, until their Virtues brought them to his Ma- " jeſty's Knowledge, and Favour? His Majeſty ſaid, if the Contrivers of that De- " claration would be faithful to themſelves, and conſider all thoſe Perſons of " both Houſes, whom they, in their own conſciences, knew to diſſent from them " in the Matter, and Language of that Declaration, and in all thoſe undutiful " Actions of which he complained, they would be found in Honour, Fortune, " Wiſdom, Reputation, and Weight, if not in Number, much Superior to them. " So much for the evil Counſellors.

" Then what was the evil Counſel it ſelf? His Majeſty's coming from *London* " (where He, and many, whoſe affections to him were very eminent, were in " danger every day to be torn in Pieces) to *York*; where his Majeſty, and all " ſuch as would put themſelves under his Protection, might live, he thanked " God and the Loyalty and Affection of that good People, very ſecurly: His not " ſubmitting himſelf abſolutely (and renouncing his own underſtanding) to the " Votes, and Reſolutions of the Contrivers of that Declaration, when they told his " Majeſty that they were above him; and might by his own Authority, do with " his Majeſty what they pleaſed: and his not being contented, that all his good " Subject's Lives, and Fortunes, ſhould be diſpoſed of by their Votes; but by " the known Law of the Land. This was the evil Counſel given, and taken: And " would not all Men believe, there needed much Power and Skill of the Malignant " Party, to infuſe that Counſel into him? And then to apply the Argument " the Contrivers of that Declaration made for themſelves, was it probable, or " or poſſible, that ſuch men, whom his Majeſty had mention'd (who muſt have ſo " great a ſhare in the miſery) ſhould take ſuch pains in the procuring thereof; and " and ſpend ſo much time, and run ſo many hazards, to make themſelves Slaves, " and to ruin the Freedom of this Nation.

" His Majeſty ſaid (with a clear and upright Conſcience, to God Allmighty) " whoſoever harboured the leaſt thought in his breaſt of ruining or violating the " publick Liberty or Religion of the Kingdom, or the juſt Freedom and Pri- " viledge of Parliament, let him be Accurſed; and he ſhould be no Counſellor " of His, that would not ſay *Amen*. For the Contrivers of that Declaration he " had not ſaid any thing, which might imply any Inclination in them to be " Slaves. That which he had charged them with, was invading the publick " Liberty; and his preſumption might be very ſtrong and vehement, that, tho' " they had no mind to be Slaves, they were not unwilling to be Tyrants: What " is Tyranny, but to admit no rules to govern by, but their own Wills? And " they knew that the miſery of *Athens* was at the higheſt, when it ſuffer'd un- " der the thirty Tyrants,

" His Majeſty ſaid, if that Declaration had told him (as indeed it might, and " as in juſtice it ought to have done) that the Precedents of any of his Anceſtors " did fall ſhort, and much below what had been done by Him, this Parliament, in " point of Grace, and Favour to his People; he ſhould not otherwiſe have " wonder'd at it, than at ſuch a truth in ſuch a place. But when to juſtify their " having done more, than ever their Predeceſſors did, it told his good Subjects " (as moſt injuriouſly and inſolently it did) that the higheſt and moſt unwarrant- " able Precedents of any of his Predeceſſors did fall ſhort, and much below what " had been done to them this Parliament by Him, he muſt confeſs himſelf ama- " zed, and not able to underſtand them; and he muſt tell thoſe ungrateful Men " (who durſt tell their King, that they might, without want of Modeſty and Duty, " Depoſe him) that the condition of his Subjects, when, by whatſoever Acci- " dents and Conjunctures of time, it was at worſt under his power, unto which, " by no default of His, they ſhould be ever again reduced, was, by many degrees, " more pleaſant and happy, than that to which their furious pretence of Refor- " mation had brought them. Neither was his Majeſty affraid of the higheſt Pre- " cedents of other Parliaments, which thoſe men Boldly (his good Subjects " would call it worſe) told him they might, without want of Modeſty or Duty, " make their Patterns. If he had no other ſecurity againſt thoſe Precedents, but " Their modeſty and duty, he was in a miſerable condition, as all Perſons would " be who depended upon Them.

" That Declaration would not allow his Inference, that by avowing the Act " of Sir *John Hotham*, they did deſtroy the Title, and Intereſt of all his Subjects " to their Lands, and Goods, but confeſſed, if they were found Guilty of that " Charge, it were indeed a very great Crime. And they did not, in that Decla- " ration, admit themſelves guilty of that very Crime? Did they not ſay, Who " doubts but that a Parliament may diſpoſe of any thing, wherein his Majeſty, or " his Subjects had a right, in ſuch a way as that the Kingdom might not be in " danger thereby? Did they not then call Themſelves this Parliament, and chal- " lenge that Power without his Conſent? Did they not extend that Power to all " Caſes, where the neceſſity or Common Good of the Kingdom was concerned? " And did they not arrogate to themſelves alone, the Judgment of that Danger,

" that

"that Neceſſity, and that Common Good of the Kingdom? What was, if That "were not, to unſettle the ſecurity of all Men's Eſtates; and to expoſe them to "an Arbitrary Power of their own? If a Faction ſhould at any time by cunning, "or force, or abſence, or accident, prevail over a Major part of both Houſes; "and pretend that there were evil Counſellors, a Malignant Party, about the "the King; by whom the Religion, and Liberty of the Kingdom, were both in "danger (this they might do, they had done it then) they might take away, be "it from the King, or People, whatſoever they, in their judgments, ſhould think "fit. This was lawful, they had declared it ſo: Let the world judge, whether "his Majeſty had charged them unjuſtly; and whether they were not guilty of the "Crime, which themſelves confeſſed (being proved) was a great One; and how "ſafely his Majeſty might commit the power, thoſe People deſired, into Their "hands; who, in all probability, would be no ſooner poſſeſſed of it, than they "would revive that Tragedy, which Mr. *Hooker* related of the Anabaptiſts in "*Germany*; who, talking of nothing but Faith, and the true Fear of God, and that "Riches and Honour were Vanity; at firſt, upon the great opinion of their Hu-"mility, Zeal, and Devotion, procured much reverence, and eſtimation with the "People; after, finding how many Perſons they had enſnared with their Hypo-"criſy, they begun to propoſe to themſelves to reform both the Eccleſiaſtical, "and Civil Government of the State: Then, becauſe poſſibly they might meet "with ſome oppoſition, they ſecretly enter'd into a League of Aſſociation; and "ſhortly after, finding the power they had gotten with the credulous People, en-"riched themſelves with all kind of Spoile and Pillage; and juſtified themſelves "upon our Saviours promiſe, *The meek ſhall inherit the Earth*; and declared Their "Title was the ſame, which the righteous *Iſraelites* had to the Goods of the "wicked *Egyptians*: His Majeſty ſaid, this ſtory was worth the reading at large, "and needed no application.

"But his Majeſty might by no means ſay, that He had the ſame Title to his "Town of *Hull*, and the Ammunition there, as any of his Subjects had to their "Land, or Money: That was a Principle, that pulled up the Foundation of the "Liberty, and Property of every Subject. Why? becauſe the King's Property "in his Towns, and in his Goods bought with the publick Money, as they con-"ceive his Magazine at *Hull* to be, was inconſiſtent with the Subjects property "in their Lands, Goods, and Liberty. Did thoſe Men think, that as they aſſu-"med a power of declaring Law (and whatſoever contradicted that Declaration "broke their Priviledges) ſo that they had a power of declaring Senſe, and Rea-"ſon, and impoſing Logick, and Syllogiſms on the Schools, as well as Law up-"on the People? Did not all Mankind know that ſeveral Men might have ſeveral "Rights, and Intereſts in the ſelf ſame Houſe and Land, and yet neither deſtroy "the other? Was not the Intereſt of the Lord *Paramount* conſiſtent with that of "the Meſne Lord; and His with that of the Tenant; and yet their Properties "or Intereſts not at all confounded? And why might not his Majeſty then have "a full, Lawful Intereſt, and Property in the Town of *Hull*, and yet his Subjects "have a Property in their Houſes too? But he could not ſell, or give away at his "Pleaſure this Town and Fort, as a private Man might do his Lands or Goods. "What then? Many men have no Authority to let, or ſet their Leaſes, or ſell their "Land, have they therefore no Title to them, or Intereſt in them? May they "be taken from them, becauſe they cannot ſell them? He ſaid, the purpoſe of "his Journey to *Hull*, was neither to ſell, or give it away.

"But for the Magazine, the Munition there, that he bought with his own "Money, he might ſurely have ſold that, lent, or given it away. No; he "bought it with the publick Money; and the Proof is, They conceive it ſo; "and, upon that Conceit, had Voted, that it ſhould be taken from him. Ex-"cellent Juſtice! ſuppoſe his Majeſty had kept that Money by him, and not "bought Armes with it, would they have taken it from him upon that Con-"ceit: Nay might they not, whereſoever that Money (for through how many "hands ſoever it hath paſſed, it is the publick Money ſtill, if ever it were) ſeiſe "it and take it from the owners? But the Towns, Forts, Magazine and King-"dom, is entruſted to his Majeſty; and he is a Perſon truſted. His Majeſty ſaid, "he was ſo; God, and the Law had truſted him; and he had taken an Oath to "diſcharge that Truſt, for the good and ſafety of the People. What Oaths They "had taken; he knew not, unleſs thoſe, which, in that violence, they had mani-

" feſtly, maliciouſly violated. Might any thing be taken from a Man, becauſe he " is truſted with it? Nay, may the Perſon himſelf take away the thing he truſts, " when he will, and in what manner he will? The Law had been otherwiſe, and, " he believed, would be ſo held, notwithſtanding their Declarations.

" But that Truſt ought to be managed by their Advice, and the Kingdom had " truſted Them for that purpoſe. Impoſſible, that the ſame Truſt ſhould be irre- " vocably committed to his Majeſty, and his Heirs for ever, and the ſame Truſt, " and a Power above that Truſt (for ſo was the Power they pretended) be com- " mitted to others. Did not the People, that ſent them, look upon them as a bo- " dy but temporary, and diſſolvable at his Majeſty's pleaſure? And could it be be- " lieved, that they intended them for his Guardians, and Controlers in the ma- " naging of that Truſt, which God and the Law had granted to Him, and to his " Poſterity for ever? What the extent of the Commiſſion, and Truſt was, no- " thing could better teach them than the Writ, whereby they are met. His " Majeſty ſaid, he called them (and without that call, they could not have come " together) to be his Counſellors, not Commanders (for however they frequent- " ly confounded them, the Offices were ſeveral) and Counſellors not in all things " but in ſome things, *de quibuſdam arduis*, &c. And they would eaſily find among " their Precedents, that Queen *Eliz.* upon whoſe time all good Men looked with " reverence, committed one *Wentworth* a Member of the Houſe of Commons to the " Tower, ſitting the Houſe, but for propoſing that they might adviſe the Queen, " in a matter ſhe thought they had nothing to do to meddle in. But his Majeſty " is truſted: And is he the only Perſon truſted? And might they do, what their own " inclination and fury led them to? Were They not truſted by his Majeſty, when he " firſt ſent for them; and were they not truſted by him, when he paſſed them his " promiſe, that he would not Diſſolve them? Could it be preſumed (and preſumpti- " ons go far with Them) that he truſted Them with a power to deſtroy himſelf, and " to diſſolve his Government, and Authority? If the People might be allowed to " make an equitable conſtruction of the Laws and Statutes, a Doctrine avowed by " Them, would not all his good Subjects ſwear, he never intended by that Act of " Continuance, that they ſhould do what they have ſince done? Were they not " truſted by thoſe that ſent them? And were they truſted to alter the Govern- " ment of Church and State; and to make themſelves perpetual Dictators over " the King, and People? Did they intend, that the Law it ſelf ſhould be ſubject " to their Votes; and that whatſoever They ſaid, or did, ſhould be Lawful, be- " cauſe they declared it ſo? The Oaths they had taken who ſent them, and with- " out taking which, themſelves were not capable of their place in Parliament, " made the one incapable of giving, and the other of receiving ſuch a Truſt; un- " leſs they could perſwade his good Subjects, that his Majeſty is the only ſupreme " Head, and Governour in all Cauſes, and over all Perſons, within his Domi- " nions; and yet that they had a Power over him to conſtrain him to manage " his Truſt, and Govern his Power, according to their Diſcretion.

" The Contrivers of that Declaration told his Majeſty, that they would never " allow him (an humble, and dutiful expreſſion) to be judge of the Law; That " belonged only to them; They might, and muſt, judge and declare. His Ma- " jeſty ſaid, They all knew what power the Pope, under pretence of interpreting " Scriptures, and declaring Articles of Faith, tho' he decline the making the one " or the other, had uſurped over Men's conſciences; and that, under colour of " having power of ordering all things for the good of Men's Souls, he entitles " himſelf to all the Kingdoms of the world: He would not accuſe the Framers of " that Declaration (how bold ſoever they were with his Majeſty) that they incli- " ned to Popery, of which another Maxim was, That all Men muſt ſubmit their " Reaſon and Underſtanding and the Scripture it ſelf, to that declaring power " of his: Neither would he tell them, tho' They had told him ſo, that they uſe " the very Language of the Rebels of *Ireland*; and yet they ſay thoſe Rebels " declare, that whatſoever they do, is for the Good of the King and Kingdom. " But his good Subjects would eaſily put the caſe to themſelves, whether if the " Papiſts in *Ireland* in truth were, or, by Art or Accident, had made themſelves, " the Major part of both Houſes of Parliament there; and had pretended the " Truſt in that Declaration from the Kingdom of *Ireland*; thereupon, had Voted " their Religion and Liberty to be in danger of extirpation from a Malignant " Party of Proteſtants, and Puritans; and therefore, that they would put them-

" ſelves

" ſelves into a poſture of Defence; that the Forts, and the Militia of that King-
" dom were to be put into the hands of ſuch Perſons, as they, could Confide in;
" that his Majeſty was indeed truſted with the Towns, Forts, Magazines, Trea-
" ſures, Offices, and People of the Kingdom, for the good, ſafety, and beſt ad-
" vantage thereof; but as his Truſt is for the uſe of the Kingdom, ſo it ought to
" be managed by the Advice of both Houſes of Parliament, whom the Kingdom
" had truſted for that purpoſe, it being their duty to ſee it diſcharged according
" to the condition, and true intent thereof, and by all poſſible means to prevent
" the contrary: His Majeſty ſaid, let all his good Subjects conſider, if that Re-
" bellion had been plotted with all that formality, and thoſe circumſtances de-
" clared to be legal, at leaſt according to the Equitable ſenſe of the Law, and
" to be for the publick good, and juſtifiable by neceſſity, of which They were the
" only Judges, whether, tho' they might have thought their deſign to be more
" Cunning, they would believe it the more Juſtifiable.

" Nay let the Framers of that Declaration ask themſelves, if the evil Counſel-
" lors, the Malignant Party, the Perſons ill affected, the Popiſh Lords and their
" Adherents, ſhould prove now, or hereafter, to be a Major part of both Houſes
" (for it had been declared that a great part of both Houſes had been ſuch, and
" ſo might have been the Greater; Nay, the greater part of the Houſe of Peers
" was ſtill declared to be ſuch, and his Majeſty had not heard of their converſion;
" and thereupon it had been earneſtly preſſed, that the Major part of the Lords
" might join with the Major part of the Houſe of Commons) would his Majeſty
" be bound to conſent to all ſuch alterations, as thoſe Men ſhould propoſe to him
" and Reſolve to be for the publick Good: And ſhould the Liberty, Property,
" and Security of all his Subjects depend on what ſuch Votes ſhould declare to
" be Law? Was the Order of the Militia unfit, and unlawful, whilſt the Major
" part of the Lords refuſed to joyn in it (as they had done two or three ſeveral
" times, and it was never heard, before this Parliament, that they ſhould be ſo,
" and ſo often preſſed after a Diſſent declared) and did it grow immediately ne-
" ceſſary for the publick ſafety, and lawful by the Law of the Land, aſſoon as ſo
" many of the diſſenting Peers were driven away (after their Names had been re-
" quired at the Bar, contrary to the freedom, and foundation of Parliament)
" that the other Opinion prevailed? Did the Life, and Liberty of the Subject
" depend upon ſuch Accidents of days, and hours, that it was impoſſible for him
" to know his Right in either? God forbid.

" But now, to juſtify their Invaſion of his Majeſty's ancient, unqueſtioned
" undoubted Right, ſettled and eſtabliſhed on his Majeſty and his Poſterity by
" God himſelf; confirm'd, and ſtrengthen'd by all poſſible Titles of Compact,
" Laws, Oaths, perpetual and uncontradicted Cuſtom by his People; What
" had they alledg'd to declare to the Kingdom, as They ſay, the obligation that
" lyeth upon the Kings of this Realm to paſs all ſuch Bills, as are offer'd unto them
" by both Houſes of Parliament? A thing never heard of till that day: An Oath
" (Authority enough for them to break all theirs) that is, or ought to be, taken
" by the Kings of this Realm, which is as well to remedy by Law ſuch Inconve-
" niencies the King may ſuffer, as to keep, and protect the Laws allready in be-
" ing: And the Form of this Oath, they ſaid, did appear upon a Record there
" cited; and by a Clauſe in the Preamble of a Statute, made in the 25th year
" of *Edw.* III.

" His Majeſty ſaid, he was not enough acquainted with Records to know whe-
" ther that were fully, and ingenuouſly cited; and when, and how, and why,
" the ſeveral Clauſes had been inſerted, or taken out of the Oaths formerly ad-
" miniſter'd to the King's of this Realm: Yet he could not poſſibly imagine the
" aſſertion that Declaration made, could be deduced from the words, or the mat-
" ter of that Oath: for unleſs they had a power of declaring Latin, as well as
" Law, ſure, *elegerit*, ſignified *hath* choſen, as well as *will* chooſe; and that it ſig-
" nified ſo there (beſides the Authority of the perpetual Practice of all ſuch ſuc-
" ceeding times; a better Interpreter than their Votes) it was evident, by the
" reference it had to cuſtoms, *conſuetudines quas Vulgus elegerit*: And could that
" be a Cuſtom, which the People ſhould chooſe after this Oath taken? And ſhould
" a King be ſworn to defend ſuch Cuſtoms? Beſides could it be imagined, that
" he ſhould be bound by Oath to paſs ſuch Laws (and ſuch a Law was the Bill
" they brought to him of the Militia) as ſhould put the power, wherewith he was
" truſted, out of Himſelf into the hands of other Men; and divert and diſable

" himſelf of all poſſible power to perform the great buſineſs of the Oath;
" which was to protect them? If his Majeſty gave away all his power, or if it
" were taken from him, he could not protect any Man: And what diſcharge
" would it be for his Majeſty, either before God or Man, when his Good Sub-
" jects, whom God and the Law had committed to his charge, ſhould be wor-
" ried and ſpoiled, to ſay that he truſted others to protect them? That is, to
" do that Duty for him, which was eſſentially, and inſeparably his own. But
" that all his good Subjects might ſee how faithfully theſe Men, who aſſumed
" this Truſt from them, deſired to diſcharge their Truſt; he would be content-
" ed to publiſh, for their ſatisfaction (a matter notorious enough, but what
" he himſelf never thought to have been put to publiſh, and of which the Framers
" of that Declaration might as well have made uſe, as of a Latin Record they
" knew many of his good Subjects could not, and many of themſelves did not
" underſtand) the Oath it ſelf he took at his Coronation, warranted and enjoyn'd
" to it by the Cuſtoms, and directions of his Predeceſſors; and the Ceremony of
" theirs, and his taking it; they might find it in the Records of the Exche-
" quer; This it is:

The Sermon being done, the Arch-Biſhop goeth to the King, and asks his willingneſs to take the Oath uſually taken by his Predeceſſors:

The King ſheweth himſelf willing, and goeth to the Altar; the Arch-Biſhop Adminiſters theſe Queſtions, and the King Anſwereth them ſeverally:

Epiſcopus. Sir, will you grant and keep, and by your Oath confirm to the People of *England*, the Laws and Cuſtoms to them granted by the Kings of *England*, your Lawful and Religious Predeceſſors: And namely the Laws, Cuſtoms, and Franchiſes, granted to the Clergy, by the Glorious King Saint *Edward*, your Predeceſſor, according to the Laws of God, the true profeſſion of the Goſpel eſtabliſhed in this Kingdom, and agreeable to the Prerogative of the Kings thereof, and the Ancient Cuſtoms of this Realm?

Rex. I grant, and promiſe to keep them.

Epiſc. Sir, will you keep Peace, and godly agreement entirely, according to your power, both to God, the Holy Church, the Clergy, and the People?

Rex. I will keep it.

Epiſc. Sir, will you, to your power, cauſe Law, Juſtice and Diſcretion, in Mercy and Truth, to be executed in all your Judgments?

Rex. I will.

Epiſc. Sir, will you grant to hold, and keep the Laws, and rightful Cuſtoms, which the Commonalty of this your Kingdom have; and will you defend, and uphold them to the honour of God, ſo much as in you lieth?

Rex. I grant, and promiſe ſo to do.

Then one of the Biſhops reads this Admonition to the King, before the People, with a loud Voice.

Our Lord and King, we beſeech you to pardon, and to grant, and to preſerve unto us, and to the Churches committed to our charge, all Canonical Priviledges, and due Law, and Juſtice; and that you would protect, and defend us as every good King in his Kingdom ought to be Protector, and Defender of the Biſhops, and Churches under their Government.

The King Anſwereth:

With a willing and devout heart I promiſe, and grant my Pardon; and that I will preſerve and maintain to you, and the Churches committed to your Charge, all Canonical Priviledges, and due Law, and Juſtice; and that I will be your Protector and Defender, to my power, by the aſſiſtance of God, as every good King in this Kingdom in right ought to protect, and defend the Biſhops, and the Churches under their Government.

Then the King ariſeth, and is led to the Communion Table; where he makes a ſolemn Oath in ſight of the People, to obſerve the Premiſes; and laying his Hand upon the Book, ſayeth,

The

The OATH.

The things which I have before promiſed, I ſhall perform, and keep: So help me God, and the Contents of this Book.

" His Majeſty ſaid, all the world might judge, whether ſuch Doctrine or ſuch " Concluſions, as thoſe Men brought, could follow, or have the leaſt pretence, " from that Oath: For the Preamble of the Statute they cited, that told his " Majeſty, that the King was bound to remedy, by Law, the miſchiefs and da- " mages which happen to his People: His Majeſty ſaid, he was ſo; but asked, " whether the King were bound, by the Preamble of that Statute, to renounce " his own judgment, his own underſtanding in thoſe miſchiefs, and of thoſe re- " medies? How far forth he was obliged to follow the judgment of his Parlia- " ment, that Declaration ſtill confeſſed to be a queſtion. Without queſtion, he " ſaid, none could take upon them to remedy even miſchiefs, but by Law, for " fear of greater miſchiefs than thoſe they go about to remedy.

" But his Majeſty was bound in juſtice to conſent to their Propoſals, becauſe " there was a Truſt repoſed in his Majeſty to preſerve the Kingdom, by making " new Laws: He ſaid, he was glad there was ſo; then he was ſure no new Law " could be made without His conſent: and that the gentleneſs of his Anſwer, *le Roy* " *S'aviſera*, if it be no Denial, it is no Conſent; and then the matter was not " great. They would yet allow his Majeſty a greater latitude of granting, or de- " nying, as he ſhould think fit, in publick Acts of Grace, as Pardons, or the like " Grants of favour: Why did they ſo? If thoſe Pardons and publick Acts of " Grace were for the publick Good (which they might Vote them to be) they " would then be abſolutely in their own diſpoſal: But had they left that power " to his Majeſty? They had ſure, at leaſt, ſhared it with him: How elſe had " they got the power to pardon Serjeant-Major-General *Skippon* (a new Officer " of State, and a Subject his Majeſty had no Authority to ſend to ſpeak with) " and all other Perſons imployed by them, and ſuch as had imployed themſelves " for them, not only for what they had done, but for what they ſhould do? If " they had power to declare ſuch Actions to be no Treaſon, which his Majeſty " would not pardon; ſuch Actions to be Treaſon, which need no pardon; the " Latitude they allowed his Majeſty of granting, or denying Pardons, was a " Jewel they might ſtill be content to ſuffer his Majeſty to wear in his Crown, " and never think themſelves the more in danger.

" All this conſider'd, the Contriver of that Meſſage (ſince they would afford " his Majeſty no better Title) whom they were angry with, did not conceive, " the People of this Land to be ſo void of Common Senſe, as to believe his Ma- " jeſty, who had denied no one thing for the eaſe, and benefit of them, which in " Juſtice or Prudence could be asked, or in Honour and Conſcience could be " granted, to have caſt off all care of the Subjects Good; and the Framers, and " Deviſers of that Declaration (who had endeavour'd to render his Majeſty " odious to his Subjects, and them diſloyal to him, by pretending ſuch a Truſt in " them) to have only taken it up, Neither, he was confident, would they be " ſatisfied, when they felt the miſery and the burthens, which the fury and ma- " lice of thoſe People would bring upon them, which being told that Calamity " proceeded from evil Counſellors, whom no body could name; from Plots and " Conſpiracies, which no Man could diſcover; and from Fears and Jealouſies, " which no Man underſtood: And therefore, that the conſideration of it ſhould " be left to the Conſcience, Reaſon, Affection, and Loyalty of his good Subjects, " who do underſtand the Government of this Kingdom, his Majeſty ſaid, he " was well content.

" His Majeſty asked, where the folly and madneſs of thoſe people would end, " who would have his People believe, that his abſenting himſelf from *London*, " where, with his ſafety, he could not ſtay, and the continuing his Magazine at " *Hull*, proceeded from the ſecret Plots of the Papiſts here, and to advance the de- " ſign of the Papiſts in *Ireland*? But it was no wonder that they, who could believe " Sir *John Hotham*'s ſhutting his Majeſty out of *Hull*, to be an Act of Affection " and Loyalty, would believe that the Papiſts, or the Turk perſwaded him to go " thither.

" And could any ſober Man think, that Declaration to be the conſent of either, " or both Houſes of Parliament, unawed either by fraud or force; which (after

" ſo many Thanks, and humble Acknowledgments of his gracious favour in his " Meſſage of the twentieth of *January*, ſo often, and ſo unanimouſly preſented " to his Majeſty from both Houſes of Parliament) now told him, that the Meſ- " ſage at firſt was, and, as often as it had been ſince mention'd by him, had " been a breach of Priviledge (of which they had not uſed to have been ſo negli- " gent, as in four Months not to have complain'd, if ſuch a breach had been) " and that their own Method of proceeding ſhould not be propoſed to them; as " if his Majeſty had only Authority to call them together, not to tell them " what they were to do; not ſo much as with reference to his own Affairs. " What their own Method had been, and whither it had led Them and brought " the Kingdom, all Men ſee; what His would have been, if ſeaſonably and " timely applied unto, all Men might judge; his Majeſty would ſpeak no more " of it.

" But ſee now what excellent Inſtances, they had found out to prove an in- " clination, if not in his Majeſty, in ſome about him, to Civil War: Their go- " ing with his Majeſty to the Houſe of Commons (ſo often urg'd, and ſo fully An- " ſwer'd) their attending on him to *Hampton*-Court, and appearing in a Warlike " manner at *Kingſton* upon *Thames*; His going to *Hull*, their drawing their Swords " at *York*, demanding who would be for the King; the declaring Sir *John Hotham* " Traytor before the Meſſage ſent to the Parliament; the Propoſitions to the " Gentry in *York-ſhire*, to aſſiſt his Majeſty againſt Sir *John Hotham*, before he " had received an Anſwer from the Parliament: All deſperate Inſtances of an " inclination to a Civil War. Examine them again: The Manner, and Intent " of his going to the Houſe of Commons, he had ſet forth at large, in his An- " ſwer to their Declaration of the nineteenth of *May*; all Men might judge of it. " Next did they themſelves believe, to what purpoſe ſoever that Rumour had " ſerved their turn, that there was an appearance in Warlike manner at *King-* " *ſton* upon *Thames*? Did they not know, that whenſoever his Majeſty had been " at *Hampton*-Court, ſince his firſt coming to the Crown, there was never a leſs " appearance, or in a leſs Warlike manner, than at the time they meant? He " ſaid he would ſay no more but that His appearance in a Warlike manner at " *Kingſton* upon *Thames*, and Theirs at *Kingſton* upon *Hull*, was very different? " What was meant by the drawing of Swords at *York*, and demanding who would " be for the King, muſt be enquired at *London*; for his Majeſty believed, very " few in *York* underſtood the meaning of it. For his going to *Hull*, which they " would by no means endure ſhould be called a Viſit, whether it were not the " way to prevent, rather than to make a Civil War, was very obvious: And the " declaring him a Traytor in the very Act of his Treaſon, would never be thought " unreaſonable, but by thoſe who believed him to be a loving and loyal Sub- " ject; no more than the endeavouring to make the Gentlemen of that County " ſenſible of that Treaſon, (which they were in an honourable, and dutiful de- " gree) before he received the Anſwer from both Houſes of Parliament: For, if " they had been, as his Majeſty expected they ſhould have been, ſenſible of that " intolerable injury offer'd to him, might he not have had occaſion to have uſed " the affection of theſe Gentlemen? Was he ſure that Sir *John Hotham*, who had " kept him out without their Order (he ſpake of a publick Order) would have " let him in, when they had forbidden him? And if they had not ſuch a ſenſe of " him (as the caſe falls out to be) had he not more reaſon to make Propoſitions " to thoſe Gentlemen, whoſe readineſs and Affection he or his Poſterity would " never forget?

" But this buſineſs of *Hull* ſticks ſtill with them; and, finding his Queſtions " hard, they are pleaſed to Anſwer his Majeſty by asking other Queſtions of Him; " No matter for the exceptions againſt the Earl of *New-Caſtle* (which have been " ſo often urged, as one of the principal grounds of their Fears and Jealouſies; " and which drew that Queſtion from him) They asked his Majeſty, why, when he " held it neceſſary, that a Governour ſhould be placed in *Hull*, Sir *John Hotham* " ſhould be refuſed by him, and the Earl of *New-Caſtle* ſent down? His Majeſty " Anſwered, becauſe he had a better opinion of the Earl of *New-Caſtle* than " of Sir *John Hotham*; and deſired to have ſuch a Governour over his Towns, " if he muſt have any, as ſhould keep them for, and not againſt him: And " if his going down were in a more private way than Sir *John Hotham*'s, it was be- " cauſe he had not that Authority to make a noiſe by levying and billeting of Sol- " diers, in a peaceable time, upon his good Subjects, as it ſeem'd Sir *John Hotham*

" carried

" carried down with him. And the Imputation which is caſt by the way up-
" on that Earl, to make his reputation not ſo unblemiſhed, as He conceived,
" and the World believes it to be; and which, tho' it was not ground enough
" for Judicial Proceeding (it is wonder it was not) was yet ground enough for
" ſuſpicion, muſt be the caſe of every Subject in *England* (and he wiſhed it
" went no higher) if every vile Aſperſion, contrived by unknown hands,
" upon unknown or unimaginable grounds, which is the way practiſed
" to bring any Virtuous and deſerving Men into obloquy, ſhould receive the
" leaſt credit, or countenance in the world.

" THEY tell him, their Exception to thoſe Gentlemen, who deliver'd their
" Petition to him at *York*, was, That they preſumed to take the Style upon
" them of all the Gentry, and Inhabitants of that County; whereas, they ſay,
" ſo many more of as good Quality as themſelves, of that County, were of
" another opinion; and have ſince, by their Petition to his Majeſty, diſa-
" vowed that Act. Their Information in that point, his Majeſty ſaid, was no
" better than it uſeth to be; and they would find, that neither the Number,
" or the Quality of thoſe who have, or will diſavow that Petition, was as
" they imagine; tho' too many weak Perſons were miſled (which they did,
" and would every day more and more underſtand) by the Faction, Skill,
" and Induſtry of that true Malignant Party, of which he did, and had rea-
" ſon to complain. They ſaid, they had received no Petition of ſo ſtrange a
" nature: What nature? Contrary to the Votes of both Houſes: that is, they
" had received no Petition, they had no mind to receive. But his Majeſty,
" had told them again, and all his good Subjects would tell them, that they
" had received Petitions with joy and approbation, againſt the Votes
" of both Houſes of their Predeceſſors, confirm'd and eſtabliſhed into Laws
" by the conſent of his Majeſty, and his Anceſtors; and allowed thoſe Pe-
" titions to carry the Style, and to ſeem to carry the Deſires of Cities, Towns,
" and Counties, when of either City, Town, or County, very few known,
" or conſiderable Perſons, had been privy to ſuch Petitions: whereas, in
" truth, the Petitions delivered to his Majeſty againſt which they except,
" carried not the Style of all, but ſome of the Gentry and Inhabitants; and
" implied no other conſent, than ſuch as went Viſibly along with it.

" BUT his Majeſty was all this while in a miſtake; the Magazine at
" *Hull*, was not taken from him. Who told them ſo? They who aſſure them
" (and whom without breaking their Priviledges they muſt believe) that Sir
" *John Hotham*'s ſhutting the Gates againſt his Majeſty, and reſiſting his en-
" trance with arm'd Men (tho' he thought it in defiance of him) was indeed
" in obedience to him, and his Authority; and for his Service, and the Ser-
" vice of the Kingdom. He was to let none in, but ſuch as came with his
" Majeſty's Authority, ſignified by both Houſes of Parliament: himſelf and
" they had order'd it ſo. And therefore he kept his Majeſty out, only till his
" Majeſty, or he himſelf might ſend for their Directions. His Majeſty ſaid, he
" knew not whether the Contrivers of that Declaration meant, that his good
" Subjects ſhould ſo ſoon underſtand, tho' it was plain enough to be under-
" ſtood, the meaning of the King's Authority ſignified by both Houſes of Par-
" liament: But ſure the world would now eaſily diſcern in what miſerable caſe
" he had, by this time, been, (it is bad enough as it is) if he had conſented
" to their Bill, or to their Ordinance of the Militia, and given thoſe Men
" power to have raiſed all the Arms of the Kingdom againſt him, for the
" Common Good, by his own Authority: Would they not, as they had kept
" him from *Hull*, by this time have beaten him from *York*, and purſued him
" out of the Kingdom, in his own behalf? Nay might not this Munition,
" which is not taken from him, be imployed againſt him; not againſt his Au-
" thority ſignified by both Houſes of Parliament, but only to kill thoſe ill
" Counſellors, the Malignant Party which is about him, and yet for His
" Good, for the Publick Good (they would declare it ſo) and ſo no
" Treaſon within the Statute of 25 *E.* III? which, by their Interpre-
" tation, had left his Majeſty, the King of *England*, abſolutely leſs pro-
" vided for, in point of ſafety, than the meaneſt Subject of the King-
" dom: And every Subject of this Land (for whoſe ſecurity that Law
" was made, that they may know their duty, and their danger in breaking

" of it) may be made a Traytor when theſe Men pleaſe to ſay, he is ſo. " But did they think That, upon ſuch an Interpretation (upon pretence of " Authority of Book Caſes and Precedents, which, without doubt, they " would have cited, if they had been to their purpoſe) out of which nothing " can reſult, but confuſion to King and People, would find any credit with " his good Subjects? And that ſo excellent a Law, made both for ſecurity of " King and People, ſhall be ſo eluded, by an interpretation no Learned Law- " yer in *England* would at this hour, he believed, ſet under his hand, not- " withſtanding the Authority of that Declaration; which, he hoped, ſhall " bring nothing but infamy upon the Contrivers of it.

" NOW to their Priviledges: Tho' it be true, they ſay, that their Pri- " viledges do not extend to Treaſon, Felony, or breach of the Peace, ſo as " to exempt the Members from all manner of Proceſs, and Trial; yet it doth " priviledge them in the way, or method of their Trial: the Cauſe muſt be " firſt brought before Them, and Their conſent asked, before you can pro- " ceed. Why, then their Priviledges extend as far in theſe Caſes, as in any " that are moſt unqueſtion'd; for no Priviledge whatſoever, exempts them " from all manner of Proceſs and Trial, if you firſt acquaint the Houſe with " it, and they give you leave to proceed by thoſe Proceſſes, or to that Tri- " al: But, by this Rule, if a Member of either Houſe commit a Murther, " you muſt by no means meddle with him, till you have acquainted that " Houſe, of which he is a Member, and received their direction for your " Proceeding, aſſuring your ſelf, he will not ſtir from that place where you " left him, till you return with their conſent; ſhould it be otherwiſe, it " would be in the power of every Man, under the pretence of Murther, to " take one after another, and as many as he pleaſeth; and ſo, conſequent- " ly, bring a Parliament to what he pleaſeth, when he pleaſeth. If a " Member of either Houſe ſhall take a purſe at *York* (he may as probably take " a Purſe from a Subject, as Arms againſt the King) you muſt ride to *London*, " to know what to do, and He may ride with you, and take a new purſe e- " very Stage, and muſt not be apprehended, or declared a Felon, till you " have asked that Houſe of which he is a Member; ſhould it be otherwiſe, it " might be in every Man's power to accuſe as many Members as he would of " taking Purſes; and ſo bring a Parliament, and ſo all Parliaments, to nothing. " Would theſe Men be believed? And yet they make no doubt but every " one, who hath taken the Proteſtation, would defend this Doctrine with his " Life and Fortune. Would not his Subjects believe, that they had impoſed a " pretty Proteſtation upon them; and that they had a very good end in the " doing of it, if it obligeth them to ſuch hazards, to ſuch undertakings? Muſt " they forget or Neglect his Majeſty's Perſon, Honour, and Eſtate, which " by that Proteſtation, they are bound to defend; and in ſome degree, do " underſtand? And muſt they only venture their Lives and Fortunes to juſtify " Priviledges they know not, or ever heard of before? Or are they bound " by that Proteſtation to believe, that the Framers of that Declaration " have power to extend their own Priviledges, as far as they think fit; and " to contract his Majeſty's Rights, as much as they pleaſe: and that they are " bound to believe them in either, and to venture their Lives and Fortunes in " that Quarrel?

" FROM declaring how mean a Perſon his Majeſty is, and how much " the Kingdom hath been miſtaken in the underſtanding of the Statute of " the 25 *E.* III. concerning Treaſon, and that all Men need not fear levying " War againſt him, ſo they have their order to Warrant them; They proceed, " in the Spirit of Declaring, to certify his Subjects in the miſtakings, which, " near one hundred and fifty years, have been received concerning the Sta- " tute of the 11 *Hen.* VII. *ch.* 1. (a Statute all good Subjects will read with " Comfort) and tell them, that the ſerving of the King for the time being, " cannot be meant of *Perkin Warbeck*, or of any that ſhould call himſelf " King; but ſuch a One as is allowed, and received by the Parliament in " the behalf of the Kingdom: And was not his Majeſty ſo allowed? How- " ever through a dark Miſt of Words, and urging their old Priviledges " (which, he hoped, he had ſufficiently Anſwer'd, and will be every day " more confuted by the Actions of his good Subjects) they conclude, that thoſe

" that

" that ſhall guide themſelves by the judgment of Parliament, which they ſay " is their own, ought, whatſoever happen, to be ſecure, and free from all " Account and Penalties, upon the Ground and Equity of that very Statute: " How far their own Chancellors may help them in that Equity, his Majeſty " knew not; but, by the help of God and that good Law, He would al- " low no ſuch Equity: So then, there is the Doctrine of that Declaration; " and theſe are the Poſitions of the Contrivers of it.

1. That they have an abſolute Power of declaring the Law, and that whatſoever they declare to be ſo, ought not to be queſtion'd by his Majeſty, or any Subject: So that all right and ſafety of Him and his People, muſt depend upon their pleaſure.

2. That no Precedents can be limits to bound their Proceedings: So they may do what they pleaſe.

3. That the Parliament may diſpoſe of any thing, wherein the King or Subject hath a Right, for the Publick Good; that they, without the King, are this Parliament, and judge of this Publick Good; and that his Majeſty's conſent is not neceſſary: So the Life and Liberty of the Subject, and all the good Laws made for the ſecurity of them, may be diſpoſed of, and repealed by the Major part of both Houſes at any time preſent, and by any ways and means procured ſo to be; and his Majeſty had no power to protect them.

4. That no Member of either Houſe ought to be troubled or medled with for Treaſon, Felony, or any other Crime, without the Cauſe firſt brought before Them, that they may judge of the Fact, and Their Leave obtain'd to proceed.

5. That the Soveraign Power reſides in both Houſes of Parliament; and that his Majeſty had no Negative Voice: ſo then his Majeſty Himſelf muſt be ſubject to their Commands.

6. That the levying of Forces againſt the Perſonal Commands of the King, tho' accompanied with his Preſence, is not levying War againſt the King; but the levying War againſt his Laws and Authority (which They have power to declare, and ſignify) tho' not againſt his Perſon, is levying War againſt the King: And that Treaſon cannot be committed againſt his Perſon, otherwiſe than as he is entruſted with the Kingdom, and diſcharging that Truſt; and that They have a power to judge, whether he diſcharges that Truſt or no.

7. That if they ſhould make the higheſt Precedents of other Parliaments their Patterns, there would be no cauſe to complain of want of Modeſty or Duty in them; that is, they may Depoſe his Majeſty when they will, and are not to be blamed for ſo doing.

" And now (as if the meer publiſhing of their reſolutions, would not on- " ly prevail with the People, but, in the inſtant, deſtroy all Spirit, and Cou- " rage in his Majeſty to preſerve his own right and honour) they had ſince " taken the boldneſs to aſſault him with certain Propoſitions; which they " call the moſt neceſſary effectual means for the removing thoſe Jealouſies, " and Differences between his Majeſty and his People; that is, that he would " be content to diveſt himſelf of all his Regal rights, and dignities; be con- " tent with the Title of a King, and ſuffer Them, according to their diſcre- " tion, to govern Him, and the Kingdom, and to diſpoſe of his Children. " How ſuitable and agreeable this Doctrine, and theſe Demands were to the " affection of his loving Subjects, under whoſe Truſt theſe Men pretend to " Say, and Do theſe monſtrous things; and to deſign not only the ruin of " his Perſon, but of Monarchy it ſelf (which, he might juſtly ſay, was more " than ever was offer'd in any of his Predeceſſors times; for, tho' the Perſon " of the King hath been ſometimes unjuſtly Depoſed, yet the Regal Power " was never, before this time, ſtruck at) he believes his good Subjects would " find ſome way to let Them, and the World know: And, from this time, " ſuch who had been miſled, by Their ill Counſels, to have any hand in the " execution of the Militia, would ſee to what Ends their ſervice was de- " ſign'd; and therefore if they ſhould preſume hereafter to meddle in it, they

" muſt expect, that he would immediately proceed againſt them as actual " raiſers of Sedition, and as Enemies to his Soveraign Power.

" His Majeſty ſaid, he had done: And ſhould now expect the worſt Ac- " tions theſe Men had power to commit againſt him; worſe Words they " could not give him, And he doubted not, but the Major part of both " Houſes of Parliament, when they might come together with their honour " and ſafety (as well thoſe who were ſurpriſed at the paſſing of it, and un- " derſtood not the malice in it, and the confuſion that muſt grow by it, if " believed; as thoſe who were abſent, or involved) would ſo far reſent the " indignity offer'd to his Majeſty, the diſhonour to Themſelves, and the miſ- " chief to the whole Kingdom, by that Declaration; that they would ſpee- " dily make the foul Contrivers of it Inſtances of their exemplary Juſtice; " and brand Them, and their Doctrine, with the marks of their perpetual " Scorn and Indignation.

Whilſt this Anſwer, and Declaration of his Majeſty's was preparing and publiſhing, which was done with all imaginable haſte, and to which they made no Reply till many Months after the War was begun, they proceeded in all their Counſels towards the leſſening his Majeſty both in Reputation, and Power; and towards the improving their own Intereſts: For the firſt, upon the advantage of their former Vote, of the King's Intention to levy War againſt his Parliament, in the end of *May* they publiſhed Orders, " That " the Sheriff's of the adjacent Counties ſhould hinder, and make ſtay of all " Arms and Ammunition carrying towards *York*, until they had given notice " thereof unto the Lords and Commons; and ſhould have received Their " further Direction; and that they ſhould prevent the coming together of " any Soldiers, Horſe or Foot, by any Warrant of his Majeſty, without Their " Advice or Conſent: Which they did, not upon any opinion that there would be any Arms or Ammunition carrying to his Majeſty, they having entirely poſſeſſed themſelves of all his Stores; or that they indeed believed, there was any Commiſſion or Warrant to raiſe Soldiers, which they well knew there was not; but that, by this means, their Agents in the Country (which many Sheriffs and Juſtices of Peace were; and moſt Conſtables, and Inferior Officers) might, upon this Pretence, hinder the reſorting to his Majeſty, which they did with that Induſtry, that few Perſons, who, foreſeeing the deſign of thoſe Orders, did not decline the great Roads, and made not pretences of travelling to ſome other place, and travelled in any Equipage towards his Majeſty, eſcaped without being ſtayed by ſuch Watches: And moſt that were ſo ſtayed, finding it to no purpoſe to attend the Reſolution, or Juſtice of the Houſes, who always commended the vigilance of their Miniſters, and did not expect, they ſhould be bound up by the Letter of their Orders, made ſhift to eſcape with their own Perſons, and were contented to leave their Horſes behind them: They, who attended to be repaired by the Juſtice of the Houſes, finding ſo many delays, and thoſe delays to be ſo chargeable, and themſelves expoſed to ſo many Queſtions, and ſuch an Inquiſition, that they thought their Liberty a great prize, whatever they left behind them.

For the improving their Intereſt and Dependance, thô they had as much of the Affection of the City as could reaſonably be expected; and, by their exerciſe of the Militia, had united them in a firm Bond, the communication of Guilt; yet they well underſtood their true ſtrength conſiſted in the Rabble of the People, far the greateſt part of the ſubſtantial, and wealthy Citizens, being not of their Party; and except ſome Expedient were found out, whereby they might be involved, and concern'd in their Proſperity or Ruin, they thought themſelves not ſo much in truth poſſeſſed of that City, as they ſeem'd to be. They had heard it ſaid, that *Edward* the fourth of *England* recover'd the City of *London*, and by that the Kingdom, by the vaſt Debts that he owed there: Men looking upon the helping of Him to the Crown, as the helping themſelves to their Money, which was elſe deſperate. Upon this ground, they had taken the firſt Opportunity of borrowing great Sums of them, in the beginning of this Parliament; when the richeſt and beſt affected Men, upon a preſumption that hereby the Scots Army would ſuddainly

March into their own Country, and the Engliſh as ſoon be disbanded, chearfully furniſhed that Money. Upon this ground, they ſtill forbore to repay thoſe Sums, diſpoſing what was brought in upon the Bills of Subſidy, and other publick Bills, to other purpoſes. And now, to make themſelves more ſure of them, they borrowed another Sum of 100000 *l.* of them, upon pretence of the great Exigencies of *Ireland*; which was their two edged Sword, to lead them into the Liberty of laying what Imputations, they thought moſt convenient for their purpoſes, upon the King and Queen; and to draw what Money they thought fit from the City; and ſerved them now to another important end, to raiſe Soldiers; but that Service it ſelf, in order to ſuppreſſing the Rebellion there, was not, in any degree, advanced. Having, by theſe means, thus provided for their main Ends, they made the People believe, they were preparing Propoſitions to ſend to the King; and the People were yet ſo innocent as to believe, that they would never ſend Propoſitions that were not reaſonable: For, tho' the unuſual Acts which had been done by the King, as the going to the Houſe of Commons, and demanding the Members there, had put them into as unuſual apprehenſions; and thoſe, by the warmth and heat of Declarations and Anſwers, had drawn from them, by degrees, another kind of Language, than had before been uſed; yet moſt Men believed, when thoſe paſſions were diſgeſted, and that any Propoſitions ſhould be made by them (which the King had long called for and invited) that they could not but be ſuch, as would open a door for that Affection, Confidence, Duty and Truſt, upon which the Peace of the Kingdom might be reaſonably founded. And Propoſitions they did ſend to the King, in the beginning of *June*; which were preſented to his Majeſty, with great Solemnity, by their Committee reſident there; which, in this place, are very neceſſary to be inſerted in the very terms in which they were preſented, as followeth.

The humble Petition, and Advice of both Houſes of Parliament, with Nineteen Propoſitions and the Concluſion, ſent unto his Majeſty the ſecond of June, 1642.

The Nineteen Propoſitions ſent to the King by both Houſes, June 2. 1642.

"Your Majeſty's moſt humble and faithful Subjects, the Lords and Commons in Parliament, having nothing in their thoughts and deſires, more "precious and of higher eſteem, next to the honour and immediate Ser"vice of God, than the juſt and faithful performance of their Duty to "your Majeſty, and this Kingdom: And being very ſenſible of the great "diſtractions and diſtempers, and of the Imminent dangers and calamities, "which thoſe diſtractions and diſtempers are like to bring upon your Ma"jeſty, and your Subjects (all which have proceeded from the ſubtle In"formations, miſchievous Practices, and evil Counſels of Men diſaffected "to God's true Religion; your Majeſty's Honour and Safety; and the "publick Peace, and proſperity of your People) after a ſerious obſervation "of the cauſes of thoſe miſchiefs, do, in all humility and ſincerity, pre"ſent to your Majeſty their moſt dutiful Petition and Advice: That, out "of your Princely wiſdom for the eſtabliſhing your own Honour and Safety, "and gracious tenderneſs of the welfare and ſecurity of your Subjects and "Dominions; you will be pleaſed to grant, and accept theſe their hum"ble Deſires and Propoſitions, as the moſt neceſſary and effectual means, "through God's bleſſing, of removing thoſe Jealouſies and Differences, "which have unhappily fallen out betwixt you and your People, and pro"curing both your Majeſty and Them a conſtant courſe of Honour, Peace, "and Happineſs.

The Propoſitions.

1. "That the Lords and others of your Majeſty's Privy Council, and ſuch "great Officers and Miniſters of State, either at Home or beyond the "Seas, may be put from your privy Council, and from thoſe Offices and "Imployments, excepting ſuch as ſhall be approved by both Houſes of "Parliament: And that the Perſons, put into the Places and Imploy-

" ments of thoſe that are removed, may be approved of by both Houſes " of Parliament: And that Privy Counſellors ſhall take an Oath, for the " due execution of their Places, in ſuch Form as ſhall be agreed upon by " both Houſes of Parliament.

2. " That the great Affairs of the Kingdom may not be concluded, or " tranſacted by the Advice of private men, or by any unknown, or un- " ſworn Counſellors; but that ſuch Matters as concern the Publick, and " are proper for the High Court of Parliament, which is your Majeſty's " great and ſupreme Council, may be debated, reſolved, and tranſacted " only in Parliament, and not elſewhere: And ſuch as ſhall preſume to do " any thing to the contrary, ſhall be reſerved to the Cenſure and Judgment " of Parliament: And ſuch other Matters of State, as are proper for your " Majeſty's Privy Council, ſhall be debated and concluded by ſuch of the " Nobility, and Others, as ſhall, from time to time, be choſen for that " Place, by approbation of both Houſes of Parliament: And that no pub- " lick Act concerning the Affairs of the Kingdom, which are proper for " your Privy Council, may be eſteem'd of any Validity, as proceeding " from the Royal Authority, unleſs it be done by the Advice and Conſent " of the Major part of the Council, atteſted under their Hands: And that " your Council may be limited to a certain Number, not exceeding twenty " five, nor under fifteen; and if any Counſellors place happen to be void " in the interval of Parliament, it ſhall not be ſupplied without the Aſſent " of the Major part of the Council; which choice ſhall be confirmed at " the next ſitting of Parliament, or elſe to be void.

3. " That the Lord High Steward of *England*, Lord High Conſtable, Lord " Chancellor, or Lord Keeper of the Great Seal, Lord Treaſurer, Lord " Privy Seal, Earl Marſhal, Lord Admiral, Warden of the Cinque Ports, " chief Governor of *Ireland*, Chancellor of the Exchequer, Maſter of the " Wards, Secretaries of State, two Chief Juſtices and Chief Baron, may " always be choſen with the approbation of both Houſes of Parliament; " and in the intervals of Parliaments, by the Aſſent of the Major part of " the Council, in ſuch manner as is before expreſſed in the choice of Coun- " ſellors.

4. " That He, or They, unto whom the Government and Education of the " King's Children ſhall be committed, ſhall be approved of by both Hou- " ſes of Parliament; and, in the intervals of Parliament, by the Aſſent of " the Major part of the Council, in ſuch manner as is before expreſſed in " the choice of Counſellors: And that all ſuch Servants as are now about " them, againſt whom both Houſes ſhall have any juſt Exceptions, ſhall " be removed.

5. " That no Marriage ſhall be concluded, or treated, for any of the King's " Children, with any Foreign Prince, or other Perſon whatſoever, abroad " or at home, without the Conſent of Parliament, under the Penalty of " a Præmunire unto ſuch as ſhall conclude, or treat of any Marriage as " aforeſaid: And that the ſaid Penalty ſhall not be pardoned, or diſpenſed " with, but by the Conſent of both Houſes of Parliament.

6. " That the Laws in force againſt Jeſuits, Prieſts, and Popiſh Recuſants, be " ſtrictly put in execution without any toleration, or diſpenſation to the con- " trary: And that ſome more effectual courſe may be enacted, by Autho- " rity of Parliament, to diſable them from making any diſturbance in the " State; or eluding the Laws by Truſts, or otherwiſe.

7. That the Votes of Popiſh Lords in the Houſe of Peers may be taken away, " ſo long as they continue Papiſts: And that your Majeſty will conſent to " ſuch a Bill, as ſhall be drawn, for the Education of the Children of Pa- " piſts, by Proteſtants, in the Proteſtant Religion.

8. " That your Majeſty will be pleaſed to conſent, that ſuch a Reformation " may be made of the Church Government, and Liturgy, as both Houſes " of Parliament ſhall adviſe; wherein they intend to have conſultations " with Divines, as is expreſſed in their Declaration to that purpoſe: And " that your Majeſty will contribute your beſt aſſiſtance to them, for the " raiſing of a ſufficient maintenance for Preaching Miniſters through the

" King-

" Kingdom: And that your Majeſty will be pleaſed to give your conſent " to Laws for the taking away of Innovations, and Superſtition, and of " Pluralities, and againſt ſcandalous Miniſters.

9. That your Majeſty will be pleaſed to reſt ſatisfied with that courſe, that " the Lords and Commons have appointed, for ordering of the Militia, " until the ſame ſhall be further ſettled by a Bill: And that your Majeſty " will recal your Declarations, and Proclamations againſt the Ordinance " made by the Lords and Commons concerning it.

10. " That ſuch Members of either Houſe of Parliament, as have, during " this preſent Parliament, been put out of any Place and Office, may " either be reſtored to that Place and Office, or otherwiſe have ſatisfa- " ction for the ſame upon the Petition of that Houſe, whereof He, or " They are Members.

11. " That all Privy Counſellors and Judges may take an Oath, the Form " whereof to be agreed on and ſettled by Act of Parliament, for the main- " taining of the Petition of Right, and of certain Statutes made by this Par- " liament, which ſhall be mention'd by both Houſes of Parliament: And " that an enquiry of all Breaches, and Violations of thoſe Laws, may be " given in charge by the Juſtices of the King's Bench every Term, and by " the Judges of Aſſize in their Circuits, and Juſtices of the Peace at the " Seſſions, to be preſented and puniſhed according to Law.

12. " That all the Judges, and all the Officers, placed by approbation of " both Houſes of Parliament, may hold their Places *quamdiu bene ſe geſſerint*.

13. " That the Juſtice of Parliament may paſs upon all Delinquents, whether " they be within the Kingdom, or fled out of it: And that all Perſons cited " by either Houſe of Parliament, may appear; and abide the Cenſure of " Parliament.

14. " That the general Pardon, offer'd by your Majeſty, may be granted " with ſuch Exceptions, as ſhall be adviſed by both Houſes of Parlia- " ment.

15. " That the Forts, and Caſtles of this Kingdom, may be put under the " Command and Cuſtody of ſuch Perſons, as your Majeſty ſhall appoint " with the approbation of your Parliament; and in the intervals of Parli- " ament, with the approbation of the Major part of the Council, in ſuch " manner as is before expreſſed in the choice of Counſellors.

16. " That the extraordinary Guards, and Military Forces now attending " your Majeſty, may be removed and diſcharged; and that, for the fu- " ture, you will raiſe no ſuch Guards or extraordinary Forces, but, accor- " ding to the Law, in caſe of Actual Rebellion, or Invaſion.

17. " That your Majeſty will be pleaſed to enter into a more ſtrict Alliance " with the States of the *United Provinces*, and other neighbour Princes and " States of the Proteſtant Religion, for the defence and maintenance there- " of againſt all Deſigns and Attempts of the Pope, and his Adherents, to " ſubvert and ſuppreſs it; whereby your Majeſty will obtain great acceſs " of ſtrength and reputation, and your Subjects be much encouraged and " enabled, in a Parliamentary way, for your Aid, and Aſſiſtance, in re- " ſtoring your Royal Siſter, and her Princely Iſſue to thoſe Dignities and " Dominions, which belong unto them: and relieving the other diſtreſſed " Proteſtant Princes, who have ſuffer'd in the ſame Cauſe.

18. " That your Majeſty will be pleaſed by Act of Parliament, to clear the " the Lord *Kimbolton*, and the five Members of the Houſe of Commons, " in ſuch manner that future Parliaments may be ſecured from the Conſe- " quence of that evil Precedent.

19. " That your Majeſty will be graciouſly pleaſed to paſs a Bill for re- " ſtraining Peers made hereafter, from Sitting or Voting in Parliament, un- " leſs they be admitted thereunto with the Conſent of both Houſes of Par- " liament.

" AND theſe our humble Deſires being granted by your Majeſty, We ſhall " forthwith apply our ſelves to regulate your preſent Revenue, in " ſuch ſort as may be for your beſt advantage; and likewiſe to ſettle ſuch " an ordinary and conſtant increaſe of it, as ſhall be ſufficient to ſupport

" your Royal Dignity in Honour, and Plenty, beyond the proportion of " of any former Grants of the Subjects of this Kingdom to your Maje- "ſty's Royal Predeceſſors: We ſhall likewiſe put the Town of *Hull* into " ſuch hands, as your Majeſty ſhall appoint with the conſent and appro- " bation of Parliament; and deliver up a juſt Account of all the Maga- " zine; and cheerfully imploy the uttermoſt of Our power and endea- " vours, in the real expreſſion, and performance of our moſt Dutiful and " Loyal Affections, to the preſerving and maintaining the Royal Honour, " Greatneſs, and Safety of your Majeſty, and your Poſterity.

The ſame day that theſe Articles of Depoſition were paſſed the Houſes, that his Majeſty might ſee how unable he was like to be to contend with them, they declared by an Order, the ſame day printed and carefully diſperſed, " that they had received Information (and indeed their Informations were wonderful particular, from all parts beyond Sea, of whatſoever was agitated on the King's behalf; as well as from his Court, of whatſoever was deſign'd, or almoſt but thought of to himſelf: Beſides they could pretend to receive Information of whatſoever would any way conduce to their Purpoſe, true or falſe) " that the Jewels of the Crown (which, they ſaid, by the Law of the " Land ought not to be aliened) were either pawn'd or ſold in *Amſterdam*, " or ſome other parts beyond Seas; and thereby great Sums of Money pro- " vided to be return'd to *York*, or to ſome of his Majeſty's Servants or Agents, " for his Majeſty's uſe: And becauſe, they ſaid, it was more than probable, " that great proviſion of Moneys, in ſuch an extraordinary way, was to main- " tain the intended War againſt the Parliament; and thereby to bring the " whole Kingdom into utter ruin, and combuſtion: It was therefore " declared, by the Lords and Commons in Parliament, that whoſoever had " been, or ſhould be, an Actor in the ſelling or pawning of any Jewels of " the Crown; or had, or ſhould pay, lend, ſend, or bring any Money in " Specie into this Kingdom for, or upon, any of thoſe Jewels; or whoſoe- " ever had or ſhould accept of any Bill from beyond the Seas for the Pay- " ment of any Sum of Money, for or upon any of thoſe Jewels, and " ſhould pay any Sum according to ſuch Bill, after notice of that Or- " der, without acquainting that Houſe with the Receipt of that Bill, be- " fore he accept the ſame; or if he had already accepted any ſuch Bill, then " with the Acceptance thereof, before the payment of the Money, every " ſuch Perſon ſhould be held and accounted a Promoter of that intended War, " an Enemy to the State, and ought to give ſatisfaction for the publick da- " mage out of his own Eſtate.

Order of the two Houſes againſt pawning the Jewels of the Crown.

Upon this confident Aſſumption, " that it was not in the King's power to diſ- " poſe the Jewels of the Crown; that whatſoever Jewels were offer'd to be " pawn'd or ſold, by any of the King's Miniſters beyond the Seas, where the " Jewels of the Crown, and no other; and that all Money return'd from " thence for his Majeſty's Service, was Money ſo raiſed and procured; they " ſo much terrified men of all conditions that the Queen, having, by the Sale of ſome of her own Jewels, and by her other Dexterity, procured ſome Money for the King's ſupply, could not in a long time find any means to tranſmit it. However this made no impreſſion upon the King's Reſolution; and tho' it might have ſome influence upon merchantly Men, yet it ſtirred up moſt Generous minds to an Indignation on the King's behalf; and was new Evidence, if there had wanted any, what kind of Greatneſs he was to expect from complying with ſuch immodeſt, and extravagant Propoſers.

The King was once reſolved to have return'd no Anſwer to them upon thoſe Propoſitions; but to let the People alone to judge of the unreaſonableneſs of them, and of the Indignity offer'd to him in the delivery of them; and that was the reaſon of the ſhort mention he made of them, in the cloſe of his Declaration to theirs of the 26th of *May*: But he was afterwards perſwaded to vouchſafe a further notice of them, there being ſome particulars Popular enough, and others, that, at the firſt View, ſeem'd not altogether ſo derogatory to Him, and ſo inconvenient to the People, as in truth they were; and that therefore it was neceſſary to let all the People know, that whatſoever was reaſonable, and might be beneficial to the Kingdom, had been

been, for the moſt part, before offer'd by his Majeſty; and ſhould all be readily granted by him; and ſo to unfold the reſt to them, that they might diſcern their own Welfare, and Security, to be as much endangered by thoſe Demands, as the King's Rights, Honour, and Dignity: So that in a ſhort time after he received them, he ſent to the two Houſes, and publiſhed to the Kingdom, his Anſwer to thoſe Nineteen Propoſitions; whereof it will be ſufficient to repeat ſome few Particulars:

The Subſtance of his Majeſty's Anſwer to the Nineteen Propoſitions.

" In which he firſt remember'd them of their method, they had obſerved " in their proceedings towards him: That they had firſt totally ſuppreſſed " the known Law of the Land, and denied his power to be neceſſary to " to the making New, reducing the whole to their own Declarations, and " ſingle Votes: That they had poſſeſſed themſelves of his Magazines, Forts, " and Militia: That they had ſo awed his Subjects with Purſuivants, long " chargeable Attendance; heavy Cenſures; illegal Impriſonments; that " few of them durſt offer to preſent their tenderneſs of his Majeſty's ſuffer- " ings, their own juſt grievances, and their ſenſe of thoſe Violations of the " Law (the Birth right of every Subject of the Kingdom) tho' in an humble " Petition to both Houſes; and if any did, it was ſtifled in the Birth; called " Sedition; and burn'd by the Common Hangman: That they had reſtrain- " ed the attendance of his ordinary, and neceſſary Houſehold-Servants; and " ſeiſed upon thoſe ſmall Sums of Money, which his credit had provided to " buy him Bread; with Injunctions that no Money ſhould be ſuffer'd to be " conveyed, or returned to his Majeſty to *York*, or to any of his Peers, or " Servants with him; ſo that, in effect, they had blocked him up in that " County: That they had filled the Ears of his People with Fears and " Jealouſies, (tho' taken up upon truſt) tales of Skippers, Salt Fleets, and ſuch " like; by which Alarums they might prepare them to receive ſuch Impreſſi- " ons, as might beſt advance their Deſign when it ſhould be ripe. And now " it ſeem'd, they thought his Majeſty ſufficiently prepared for thoſe bitter " Pills; that he was in a handſome poſture to receive thoſe humble Deſires; " which, probably, were intended to make way for a Superfœtation of a yet " higher nature; for they did not tell him, This was all. He ſaid, he " muſt obſerve, that thoſe Contrivers (the better to advance their " true ends) in thoſe Propoſitions, diſguiſed, as much as they could, their in- " tents with a mixture of ſome things really to be approved by every honeſt " Man; others, Specious and Popular; and ſome which were already granted " by his Majeſty: All which were cunningly twiſted, and mixed with thoſe " other things of their main deſign, of Ambition and private Intereſt, in " hope that, at the firſt View, every Eye might not ſo clearly diſcern them " in their proper Colours.

" His Majeſty ſaid, if the 1, 2, 3, 4, 5, 9, 10, 15, 16, 19, Demands had been " writ, and printed in a Tongue unknown to his Majeſty and his People, " it might have been poſſible, that He, and They might have charitably " believed the Propoſitions to be ſuch, as might have been in order to " the Ends pretended in the Petition; to wit, the Eſtabliſhment of " his Honour and Safety; the welfare and ſecurity of his Subjects and " Dominions; and the removing thoſe Jealouſies and Differences, which " were ſaid to have unhappily fallen betwixt his Majeſty and his Peo- " ple; and procuring both his Majeſty, and Them, a conſtant courſe of " Honour, Peace, and Happineſs; but being read and underſtood by all, " he could not but aſſure himſelf, that that Profeſſion, joyn'd to thoſe " Propoſitions, would rather appear a Mockery and a Scorn; the Demands " being ſuch, that he were unworthy of the Truſt repoſed in him by the " Law, and of his Deſcent from ſo many great and famous Anceſtors, " if he could be brought to abandon that Power, which alone could " enable him to perform what he was ſworn to, in protecting his People " and the Laws; and So aſſume others into it, as to deveſt Himſelf of it, al- " tho' not only his preſent condition were more Neceſſitous than it was " (which it could hardly be) and he were both Vanquiſhed, and a Priſoner, " and in a worſe condition than ever the moſt unfortunate of his Predeceſ- " ſors had been reduced to, by the moſt Criminal of their Subjects; and tho' " the Bait laid to draw him to it, and to keep his Subjects from Indignation

" at the mention of it, the Promiſes of a plentiful and unparallel'd Revenue, " were reduced from Generals (which ſignify nothing) to clear and certain " Particulars; ſince ſuch a bargain would have but too great a reſemblance " of that of *Eſau*'s, if he would part with ſuch flowers of his Crown, as " were worth all the reſt of the Garland, and had been tranſmitted to him " from ſo many Anceſtors, and had been found ſo uſeful and neceſſary for the " welfare and ſecurity of his Subjects, for any preſent Neceſſity, or for any " low and ſordid Conſiderations of Wealth and Gain. And therefore, all " Men knowing that thoſe Accommodations are moſt eaſily made, and moſt " exactly obſerved, that are grounded upon reaſonable and equal conditi- " ons, his Majeſty had great cauſe to believe that the Contrivers of thoſe " Propoſitions, had no Intention of ſettling any firm Accommodation; " but to increaſe thoſe Jealouſies, and widen that Diviſion, which, not by his "Majeſty's fault, was now unhappily faln between Him and both Houſes.

" It was asked, that all Lords and Others of his Privy Council, and ſuch " great Officers and Miniſters of State, either at home or beyond the Seas " (for, he ſaid, care was taken to leave out no Perſon, or Place, that his " diſhonour might be ſure not to be bounded within this Kingdom) ſhould be " put from his Privy Council, and from thoſe Offices and Imployments, un- " leſs they ſhould be approved by both Houſes of Parliament, how faithful " ſoever his Majeſty had found them to Him, and to the Publick; and how " far ſoever they had been from offending againſt any Law, the only Rule " they had, or any others Ought to have, to walk by. His Majeſty there- " fore to that part of that Demand return'd this Anſwer, That he was wil- " ling to grant that they ſhould take a larger Oath than they Themſelves de- " fired in their eleventh Demand, for maintaining not of any Part, but the " Whole Law: And he ſaid, he had, and did aſſure them, that he would " be careful to make election of ſuch Perſons in thoſe Places of Truſt, as had " given good teſtimonies of their Abilities and Integrities, and againſt whom " there could be no juſt cauſe of Exception, whereon reaſonably to ground a " Diffidence: That if he had, or ſhould be miſtaken in his election, he had, " and did aſſure them, that there was no Man ſo near to him, in Place or " Affection, whom he would not leave to the Juſtice of the Law, if they " ſhould bring a particular Charge, and ſufficient Proof againſt him: That " he had given them a Triennial Parliament (the beſt pledge of the Ef- " fects of ſuch a Promiſe on his part, and the beſt ſecurity for the perfor- " mance of their Duty on Theirs) the apprehenſion of whoſe Juſtice, would, " in all probability, make them wary, how they provoked it; and his " Majeſty wary, how he choſe ſuch as, by the diſcovery of their faults, " might in any degree ſeem to diſcredit his Election; but that without " any ſhadow of a fault objected, only perhaps becauſe they follow their " Conſciences, and preſerve the eſtabliſhed Laws, and agree not in " ſuch Votes, or aſſent not to ſuch Bills, as ſome Perſons, who had " then too great an influence even upon both Houſes, judged, or ſeem'd " to judge, to be for the publick good, and as were agreeable to that new " Utopia of Religion and Government into which they endeavour'd to trans- " form this Kingdom (for, he ſaid, he remember'd what Names, and for " what reaſons, they left out in the Bill offer'd him concerning the Militia, " which they had themſelves recommended in the Ordinance) he would ne- " ver conſent to the diſplacing of any, whom for their former Merits from, " and Affection to his Majeſty and the Publick he had entruſted; ſince he " conceived, that to do ſo, would take away both from the Affection of his " Servants, and care of his Service, and the Honour of his Juſtice: And he " ſaid, he the more wonder'd, that it ſhould be asked by them, ſince it ap- " pears by the twelfth Demand, that Themſelves counted it reaſonable, after " the preſent Turn was ſerved, that the Judges and Officers, who were then " placed, might hold their Places, *quamdiu ſe bene geſſerint:* And he was re- " ſolved to be as careful of thoſe whom He had choſen, as they were of thoſe " They would chooſe; and to remove none, till they appeared to him to have " otherwiſe behaved themſelves, or ſhould be evicted by Legal proceedings, " to have done ſo.

" But, his Majeſty ſaid, that Demand, as unreaſonable as it was, was but " one Link of a great Chain, and but the firſt Round of that Ladder, by which.

" which his Majeſty's Juſt, Ancient, Regal Power, was endeavour'd to be " fetch'd down to the ground; for it appeared plainly that it was not with " the Perſons now choſen, but with his Majeſty's Chooſing, that they were " diſpleaſed: For they demanded, that the Perſons put into the Places and " Imployments of thoſe, who ſhould be removed, might be approved by " both Houſes; which was ſo far from being leſs than the power of Nomina- " tion, that of two things, of which he would never grant either, he would " ſooner be content, that They ſhould Nominate, and He Approve; than " They Approve and his Majeſty Nominate: the meer Nomination being ſo " far from being any thing, that if he could do no More, he would never " take the pains to do That; when he ſhould only hazard whom he eſteem'd " to the Scorn of a Refuſal, if they happen'd not to be agreeable not only to " the Judgment, but to the Paſſion, Intereſt, or Humour of the preſent Ma- " jor part of either Houſe: Not to ſpeak of the great Factions, Animo- " ſities, and Diviſions, which that power would introduce in both Houſes, " and in the ſeveral Counties for the choice of Perſons to be ſent to that " place, where that power was; and between the Perſons that were ſo cho- " ſen. Neither was that ſtrange Potion preſcribed to him only for once, for " the cure of a preſent, preſſing, deſperate Diſeaſe; but for a Diet to Him, " and his Poſterity. It was demanded, that his Counſellors, all Chief Offi- " cers both of Law and State, Commanders of Forts and Caſtles, and all " Peers hereafter made, be approved of, that is Choſen, by Them from time " to time: And rather than it ſhould ever be left to the Crown (to whom it " only did, and ſhould belong) if any place fall void in the intermiſſion of " Parliament, the Major part of the approved Council was to approve them. " Neither was it only demanded that his Majeſty ſhould quit the power, and " right, his Predeceſſors had had of appointing Perſons in thoſe Places; but " for Counſellors, he was to be reſtrain'd, as well in the Number as in the " Perſons; and a power muſt be annexed to thoſe Places, which their Prede- " ceſſors had not. And indeed, if that power were paſſed to them, he ſaid, " it would not be fit He ſhould be truſted to chooſe thoſe, who were to be " truſted as much as Himſelf.

" He told them, to grant their Demands in the manner they propoſed them, " that all Matters that concern'd the Publick, &c. ſhould be reſolved, and " tranſacted only in Parliament, and ſuch other Matters of State &c. by the " Privy Council ſo choſen, was in effect at once to depoſe Himſelf, and his " Poſterity. He ſaid, many expreſſions in their Demands, had a greater La- " titude of ſignification, than they ſeem'd to have; and that it concern'd his " Majeſty therefore the more, that they ſhould ſpeak out; that both he, and " his People, might either know the bottom of their demands, or know them " to be bottomleſs. Nothing more concern'd the Publick, and was indeed " more proper for the high Court of Parliament, than the making of Laws; " which not only ought there to be tranſacted, but could be tranſacted no " where elſe. But then they muſt admit his Majeſty to be a Part of the Par- " liament; they muſt not (as the ſenſe was of that part of that Demand, " if it had any) deny the freedom of his Anſwer, when He had as much " right to reject what he thought unreaſonable, as They had to propoſe what " they thought convenient, or neceſſary. Nor was it poſſible his Anſwers, " either to Bills or any other Propoſitions, ſhould be wholly free, if He might " not uſe the liberty, that every one of them, and every Subject took, to re- " ceive Advice (without their danger who ſhould give it) from any Perſon " known or unknown, ſworn or unſworn, in thoſe matters in which the ma- " nage of his Vote is truſted, by the Law, to his own judgment and conſcience; " which how beſt to inform was, and ever ſhould be, left likewiſe to Him. " He ſaid, he would always, with due conſideration, weigh the Advices both " of his Great, and Privy Council; yet he ſhould likewiſe look on their Ad- " vices, as Advices, not as Commands, or Impoſitions; upon Them, as his " Counſellors, not as his Tutors, or Guardians; and upon Himſelf as their " King, not as their Pupil, or Ward: For he ſaid, whatſoever of Regality, " was by the modeſty of Interpretation, left in his Majeſty, in the firſt part of " the ſecond Demand, as to the Parliament, was taken from him in the ſe- " cond part of the ſame, and placed in that new fangled kind of Counſellors, " whoſe power was ſuch, and ſo expreſſed by it, that in all Publick Acts con- " cerning the Affairs of the Kingdom, which are proper for the Privy

" Council (for whoſe Advice all Publick Acts are ſometimes proper, tho' " never neceſſary) they were deſired to be admitted joynt Patentees with his " Majeſty in the Regality. And it was not plainly expreſſed, whether they " meant his Majeſty ſo much as a ſingle Vote in thoſe Affairs; but it was plain " they meant him no more, at moſt, than a ſingle Vote in them; and no more " power, than every one of the reſt of his fellow Counſellors.

And ſo after a ſharp diſcourſe, and explanation of the unreaſonableneſs of the ſeveral Demands, or the greateſt part of them, and the confuſion that by conſenting thereunto, would redound to the Subject in general, as well as the diſhonour to his Majeſty, (which may be read at large by it ſelf) He told them, " to all thoſe unreaſonable demands, his Anſwers was, *nolumus leges An-* " *gliæ mutari*: But renewed his Promiſe to them, for a very punctual and ſtrict " obſervation of the known Laws eſtabliſhed; to which purpoſe he was wil- " ling an Oath ſhould be framed by them, and taken by all his Privy Coun- " ſellors. And for any alteration in the Government of the Church, that a " National Synod ſhould be called, to propoſe what ſhould be found neceſ- " ſary or convenient: And that for the advancement of the Proteſtant Re- " ligion againſt the Papiſts, they had not propoſed ſo much to his Majeſty, " as he was willing to grant, or as he had himſelf offer'd before. He con- " cluded with conjuring Them, and all Men, to reſt ſatisfied with the truth " of his Majeſty's Profeſſions, and the reality of his Intentions; and not to ask " ſuch things as denied themſelves: That they would declare againſt Tumults, "and puniſh the Authors: That they would allow his Majeſty his Property in " his Towns, Arms, and Goods; and his ſhare in the Legiſlative Power; " which would be counted in Him, not only breach of Priviledge, but Ty- " rany, and Subverſion of Parliaments, to deny to Them: And, when they " ſhould have given him ſatisfaction upon thoſe Perſons, who had taken away " the One, and recalled thoſe Declarations (particularly that of the 26th of " *May*; and thoſe in the point of the Militia, his juſt rights wherein he would " no more part with, than with his Crown, leſt he enabled others by them to " take that from him) which would take away the Other; and declined the " beginnings of a War againſt his Majeſty, under pretence of His Intention of " making one againſt them; as he had never oppoſed the Firſt part of the " thirteenth Demand, ſo he would be ready to concur with them in the Lat- " ter; and being then confident that the credit of thoſe Men, who deſire a ge- " neral cumbuſtion, would be ſo weaken'd with them, that they would not be " able to do this Kingdom any more hurt, he would be willing to grant his " General Pardon, with ſuch Exceptions as ſhould be thought fit; and ſhould " receive much more joy in the hope of a full, and conſtant happineſs of " his People in the true Religion, and under the protection of the Law, by a " bleſſed Union between his Majeſty and his Parliament, than in any ſuch in- " creaſe of his own Revenue, how much ſoever beyond former Grants, as " (when his Subjects were wealthieſt) his Parliament could have ſettled upon " his Majeſty.

Tho' the King now lived at *York* in a much more Princely condition, than he could have hoped to have done near *London*; and had ſo great a train and reſort of the Nobility and Gentry, that there was not left a fifth part of the Houſe of Peers at *Weſtminſter*; and truly I do not believe, that there was near a Moiety of the Houſe of Commons who continued there; yet his Majeſty made no other uſe, for the preſent, of their preſence with Him, and of their abſence from the two Houſes, than to have ſo many the more, and the more credible Witneſſes of his Counſels and Carriage; and to undeceive the People by his clear Anſwers to all the Scandals and Reproaches which were laid on him, and by his ample profeſſions and proteſtations of his ſincere Zeal to Religion, and Juſtice; and to make it appear to them, how far the Quality and the Number of thoſe who thought, or ſeem'd to think otherwiſe, was, from what they might imagine it to be. And it cannot be denied, but the People were every day viſibly reformed in their underſtandings, from the ſuperſtitious reverence they had paid the two Houſes; and grew ſenſible of their duty to the King, and of thoſe Invaſions which were offer'd to his Regal dignity.

On the other ſide, the two Houſes ſlacken'd not their pace a jot, proceed- ed with great and unuſual ſharpneſs againſt thoſe Members who were gone

to

to the King ; Proclaiming ſome of them by Name " to be Enemies to the " Kingdom, and, by a Formal Judgment, ſentencing Nine Peers together, " to be incapable of ſitting again in Parliament, whilſt This ſhould conti- " nue : The Houſe of Commons having carried up an Impeachment of Miſ- demeanours againſt them (which was as illegal in point of Juſtice, and as extravagant in point of Priviledge, as any thing they could do) " for being " abſent, and refuſing to attend, upon a Summons from the Houſe of Peers: And upon their own Members they impoſed a fine of 100 *l.* a piece, on every one who was gone to the King, and upon thoſe, who being in other places, they thought were well affected to his Service : Yet, leſt they ſhould upon this proceeding return again, to diſturb, and croſs their Counſels, they provided, " that no Man upon whom that Sentence fell, ſhould ſit again in " the Houſe (tho' he paid his fine) till he had been examined by a Commit- " tee, and ſo given the Houſe ſatisfaction in the cauſe of his abſence. And, by thoſe means, they thought both to remove the Scandal, that ſo many Members were abſent, and to prevent any inconvenience too, that might befall them by their return. For they well knew, if the Members of both Houſes were obliged to a conſtant and ſtrict Attendance, it would not be poſſible that they could compaſs their miſchievous Deſigns.

Then they proſecuted their great Buſineſs of the Militia, not only near *London*, where they were in no danger of oppoſition, but in thoſe Northern Counties near his Majeſty, as *Leiceſter-ſhire*, *Cheſhire*, *Lincoln-ſhire*, where whoſoever refuſed to give obedience to them, or publiſhed the King's Proclamation againſt their proceedings (for the King had yet practiced no Expedient to prevent the growth of that miſchief, but the publiſhing his Proclamation againſt it) were ſent for as Delinquents; and not ſatisfied herewith, that they might be as well able to Pay an Army, as they found they ſhould be to Raiſe one, on the tenth of *June* (for the time will be very neceſſary to be remember'd, that it may be the better ſtated, Who took up the Defenſive Arms) they publiſhed Propoſitions " for the bringing in of Money or Plate to main- " tain Horſe, Horſe-men, and Arms, for the Preſervation of the Publick Peace, " and for the defence of the King, and both Houſes of Parliament; the " Reaſons and Grounds whereof they declared to be the King's Intention to " make War againſt his Parliament : That, under pretence of a Guard for " his Perſon, he had actually begun to levy Forces, both of Horſe and Foot ; " and ſent out Summons throughout the County of *York*, for the calling to- " gether of greater Numbers ; and ſome ill affected Perſons, in other parts, " had been imployed to raiſe Troops, under the colour of his Majeſty's Ser- " vice ; making large offers of reward and preferment to ſuch as would come " in , That his Majeſty did, with a high and forcible hand, protect, and " keep away Delinquents, not permitting them to make their appearance to " Anſwer ſuch Affronts and Injuries, as had been by them offer'd to the Par- " liament ; and thoſe Meſſengers, which had been ſent from the Houſes for " them, had been abuſed, beaten, and impriſoned, ſo as the Orders of Par- " liament, the higheſt Court of Juſtice in the Realm, were not obeyed ; and " the Authority of it was altogether ſcorned, and vilified ; and ſuch Perſons " as ſtood well affected to it, and declared themſelves ſenſible of thoſe publick " Calamities, and of the violations of the Priviledges of Parliament, and " common Liberty of the Subject were baffled, and injured by ſeveral ſorts " of Malignant Men, who were about the King ; ſome whereof, under the " name of Cavaliers, without having reſpect to the Laws of the Land, or " any fear either of God or Man, were ready to commit all manner of " Outrage and Violence ; which muſt needs tend to the diſſolution of the " Government ; the deſtruction of their Religion, Laws, Liberties, Proper- " ties ; all which would be expoſed to the Malice and Violence of ſuch deſpe- " rate Perſons, as muſt be imployed in ſo horrid and unnatural an Act, as the " overthrowing a Parliament by Force ; which was the ſupport, and preſer- " vation of them. Thoſe Particulars, they ſaid, being duly conſidered by " the Lords and Commons, and how great an obligation lay upon them, " in Honour, Conſcience, and Duty, according to the high Truſt repo- " ſed in them to uſe all poſſible means, in ſuch caſes, to prevent ſo great

Propoſitions, and Orders of both Houſes for bringing in Money and Plate for maintaining Horſe, &c, June 10. 1642

" and irrecoverable Evils, they had thought fit to publiſh their ſenſe, and ap-
" prehenſion of that Imminent danger; thereby to excite all well affected
" Perſons, to contribute their beſt aſſiſtance, according to the ſolemn Vow
" and Proteſtation, to the Preparations neceſſary for the oppoſing, and ſup-
" preſſing of the Trayterous Attempts of thoſe wicked, and malignant Coun-
" ſellors, who ſought to engage the King in ſo dangerous and deſtructive
" an enterpriſe, and the whole Kingdom in a Civil War; and deſtroy the
" Priviledges and Being of Parliaments.

" This recourſe to the good affections of thoſe, that tender their Religion
" and juſt Liberties, and the enjoyment of the bleſſed fruits of this preſent
" Parliament, which were almoſt ready to be reaped, and were now as
" ready to be ruin'd by thoſe wicked hands, being, they ſaid, the only re-
" medy left them under God; and without which they were no longer able
" to preſerve Themſelves, or Thoſe by whom they were entruſted: There-
" fore, they declared that whoſoever would bring in any proportion of
" ready Money or Plate, or would under-write to furniſh and maintain any
" number of Horſe, Horſe-men and Arms, for the preſervation of the Pub-
" lick Peace, and for the defence of the King, and both Houſes of Parlia-
" ment, from Force and Violence, and to uphold the Power and Priviledges
" of Parliament according to his Proteſtation; it ſhould be held a good and
" acceptable Service to the Common-wealth, and a Teſtimony of his good
" affection to the Proteſtant Religion, the Laws, Liberties, and Peace of the
" Kingdom; and to the Parliament, and Priviledges thereof. And they fur-
" ther declared, that whoſoever brought in Money or Plate, or furniſhed and
" maintained Horſe, Horſemen, and Arms, upon theſe Propoſitions, and to
" thoſe Purpoſes, ſhould be repaid their Money with intereſt of eight *per Cent*;
" for which they did engage the Publick Faith, and they appointed the Guild-
" Hall in *London* for the place whither this Money, or Plate, ſhould be brought;
" and four Aldermen of *London* to be their Treaſurers for the receiving the
" the ſame; and likewiſe other Confiding Men to receive, and prize ſuch
" Horſes and Arms, as ſhould be brought in for their Service. And laſtly,
" for their better encouragement, the Members of both Houſes appointed a
" ſolemn day to ſet down their own Subſcriptions; which they performed
" liberally.

Moſt of thoſe, who abhorred their impious Deſigns, not thinking it Law-ful for them to be preſent at ſuch Conſultations, withdrew before the day came, or abſented themſelves Then. But many had the courage to be preſent, and ſtoutly to refuſe what they thought they could not honeſtly conſent to. Sir *Henry Killigrew*, who was a remarkable Enemy to all their devices, being called upon, told them, " if there were occaſion, he would provide a good " Horſe, and a good Sword; and made no queſtion but he ſhould find a good " Cauſe. But, within very few days, both He, and all thoſe who were taken notice of for refuſing, found it ſafeſt for them to leave the Town; there being very viſibly great animoſity againſt them both within, and without the Walls. And a Gentleman of good Quality aſſured me afterwards, that, within few days after he had refuſed to Subſcribe, he was privately adviſed by one of the other Faction, who yet retained ſome kindneſs to him, " to leave " the Town, leſt his Brains were beaten out by the Boys in the Streets. And many of thoſe, who too impotently deſired not to be looked upon as Refractory Perſons, and had pleaſed themſelves with Subſcribing more Articulately for the defence of the King's Perſon, found it afterwards neceſſary to ſupply whatſoever they had Subſcribed, to be employed that way as was Declared to be for the defence of the King's Perſon, whatſoever their Intention was at firſt, or their Opinion after. And it is hardly credible, what a vaſt proportion of Plate was brought in to their Treaſurers within ten days; there being hardly Men enough to receive it, or room to lay it in; and the Throng being ſo great of the Bringers, that, in two days attendance, many could not be diſcharged of their Seditious Offerings. And, the very next day after theſe Propoſitions, they further ordered, " that there ſhould be a ſtrict ſearch " and examination made, by the Juſtices of Peace, Mayors, Bayliffs, and " Conſtables, near all the Northern Roads, for the ſeiſing all Horſes for Ser-

" vice

" vice in the Wars, or great Saddles, that ſhould be carried towards the North " parts of *England*, without the Privity or Direction of one or both Houſes " of Parliament; which was a great improvement of their former Order, which extended only to Arms and Ammunition; tho', the truth is, the Dexterity and Spirit of their Miniſters, who knew their Meaning, made the former almoſt as inconvenient and dangerous to Paſſengers, as the latter.

It was by many impatiently wonder'd at Then, and, no doubt, will be more cenſured Hereafter, that, notwithſtanding all theſe invaſions, and breaches upon the Regal Power, and all theſe vaſt Preparations to deſtroy him, the King, hitherto, put not himſelf into a poſture of ſafety; or provided for the reſiſtance of that Power, which threaten'd him; and which, he could not but know, Intended whatſoever it hath ſince Done: And tho' they had not yet form'd an Army, and choſen a General, yet, he well knew, they had Materials abundantly ready for the firſt, and particular, digeſted reſolutions, in the ſecond; which they could reduce to publick Acts, whenſoever they pleaſed. It is very true he did know all this, and the unſpeakable hazards he run, in not preparing againſt it. But the hazards, which preſented themſelves unto him on the other ſide, were not leſs Prodigious: He had a very great appearance of the Nobility; and not only of thoſe, who had from the beginning walked, and governed themſelves by the Rules the Law preſcribed, and in that reſpect, were unblamable to King and People: But of Others who had paſſionately and peeviſhly (to ſay no worſe) concurred in all the moſt violent Votes and Actions, which had been done from the beginning: For beſides the Lord *Spencer* (who had been choſen their Lieutenant of *Northampton-ſhire*, but was recovered to a right underſtanding, of which he was very capable, by his Uncle the Earl of *Southampton*) the Lord *Paget* likewiſe, who had contributed all his Faculties to Their ſervice, and to the prejudice of the King's, from before the beginning of the Parliament; had been one of their Teizers to broach thoſe bold high Overtures ſoberer Men were not, at firſt, willing to be ſeen in; and had been, as a man moſt worthy to be Confided in, choſen Lord Lieutenant of one of the moſt Confiding Counties, the County of *Buckingham* (where he had, with great Solemnity and Pomp, executed their Ordinance, in defiance of the King's Proclamation) and had Subſcribed a greater Number of Horſes for their Service, upon their Propoſitions, than any other of the ſame Quality; convinced in his conſcience, fled from them, and beſought the King's Pardon: And, for the better manifeſting the tenderneſs of his Compunction, and the horrour he had of his former Guilt, he frankly diſcovered whatſoever he had known of their Counſels; and aggravated all the ill they had done, with declaring it to be done to worſe and more horrid Ends, than many good Men believed to be poſſible for them to propoſe to themſelves.

Notwithſtanding, this glorious Convention was rather an Ornament to his Court, than any great Advantage to his Counſels; and the uſe of them more to diſcredit the ſmall remainder at *Weſtminſter*, and that the People might ſee the number and quality of the Diſſenters, than that they contrived any thing to the active improvement of his affairs; every Man thinking it high merit in him, that he abſented himſelf from the Company and Place, where all the miſchief was done; and that the keeping himſelf Negatively innocent, was as much as he owed his King and Country. I am willing to impute it to the drowſy and unactive Genius of the Kingdom (contracted by long eaſe, and quiet) which ſo much abhorred the thoughts of a Civil War, that it thought a lively and vigorous preparation againſt it, was to Invite it; and there were very few of all the great Lords, who did attend upon the King, who did not declare, " that the Parliament durſt not in truth (what-" ever ſhews they made in hope to ſhake his Majeſty's conſtancy) make a War; " and if they ſhould attempt it, the People would unanimouſly riſe for the " King, who would be moſt ſafe by not intending his own ſafety. Whereas, if " he raiſed Forces, the Parliament would procure themſelves to be believed, " that it was to overthrow Religion, and ſuppreſs the Laws, and Liberties of " the People. They who were of another opinion, and could have ſpoken

more reaſon, held it not ſafe to expreſs themſelves but in the King's own Ear; there being in the great Council of the Peers, who, for State, were frequently Aſſembled, and by whom in truth the King then deſired to have tranſacted all things of Moment, ſome who were not good Counſel-Keepers, and others who were looked upon, and believed to be Spies upon the reſt. But that which made the thought of raiſing forces (whatever Arguments there were for it) abſolutely unreaſonable, was, that the King had no poſſibility to procure either Arms, or Munition, but from *Holland*; from whence he daily expected ſupply: And till that arrived, let his Provocations and Sufferings be what they could be, he was to ſubmit and bear it patiently.

In the mean time, for a ground of further proceeding upon occaſion, the King deſired the Peers in Council, to ſet down in writing the Affronts and Violence which had been offer'd to them at *London*, by which their Preſence in the great Council of the Kingdom was render'd both unſafe, and diſhonourable; the which they the more willingly condeſcended to, for that the *London* Pamphlets already aſperſed them as Deſerters of the Parliament, and Betrayers of the Liberty of their Country. An Inſtrument being drawn up, and agreed upon between them, in which they ſet down "the Tumults, and "the Violence offer'd to particular Perſons in thoſe Tumults, the Threats and "Menaces of the Rabble, at the doors of the Houſe, when they had a "mind any Exorbitant thing ſhould paſs; the Breach and Violation of the "old Orders, and Rules of Parliament, whilſt Matters were in debate, and "the reſuming Matters again in a thin Houſe; and reverſing, waving, or "contradicting Reſolutions made in a full Houſe: And, laſtly, Mr. *Hollis*'s "coming to the Bar, and demanding the Names of thoſe Lords who refuſed "to conſent to the Militia, when the multitude, without, menaced and "threaten'd all thoſe Diſſenters: after which, they ſaid, "they conceived, "they could not be preſent there, with Honour, Freedom, or Safety; and "therefore forbore to be any more preſent; and ſo all thoſe Votes, Concluſions, and Declarations had paſſed, which had begot thoſe Diſtractions "throughout the Kingdom. And this they delivered to the King, ſigned under their Hands. And yet, (which is a ſufficient Inſtance how unendued Men were with that Spirit and Courage, which was requiſite) the next day after the delivery, many Lords came to his Majeſty, and beſought him "that he "would by no means publiſh that Paper, but keep it in his own hands; ſome of them ſaying, "that, if it were publiſhed, they would diſavow it: ſo that material and weighty Evidence, which Then might have been of Sovereign uſe to the King, was render'd utterly ineffectual to his Service; his Majeſty finding it neceſſary to engage his Princely word to them, "never to "make it publick without Their conſent; which he performed moſt punctually; and ſo, to this day, it was never divulged.

To make ſome little amends for this want of mettle (for it proceeded from nothing elſe, They being moſt ſhy in ſubſcribing, and moſt paſſionate againſt publiſhing, who were of unqueſtionable Affection to his Majeſty, and integrity to his Cauſe) and that the world might ſee, there was a Combination among good Men, to aſſiſt his Majeſty in the defence of the Law, as well as there was Againſt both by others: Upon the King's declaring himſelf fully in Council, where all the Peers were preſent, "that, as He would not require "or exact any obedience from them, but what ſhould be warranted by the "known Law of the Land; ſo he did expect that They would not yield to "any Commands not legally grounded, or impoſed by any other: That he "would defend every one of them, and all ſuch as ſhould refuſe any ſuch "Commands, whether they proceeded from Votes, and Orders of both Houſes, or any other way, from all dangers and hazards whatſoever. That his "Majeſty would defend the true Proteſtant Religion, eſtabliſhed by the Law "of the Land; the Lawful Liberties of the Subjects of *England*; and juſt "Priviledges of all the Three Eſtates of Parliament; and would require no "further obedience from them, than as accordingly he ſhould perform the "ſame: And his Majeſty did further declare, that he would not, as was "falſely pretended, engage them, or any of them, in any War againſt the "Par-

His Majeſty's Declaration to the Lords attending him at York, June 13, 1642.

" Parliament; except it were for his neceſſary defence and ſafety, againſt ſuch " as did inſolently invade or attempt againſt his Majeſty, or ſuch as ſhould " adhere to his Majeſty: All the Peers engaged themſelves, " not to obey " any Orders, or Commands whatſoever, not warranted by the known Laws " of the Land; and to defend his Majeſty's Perſon, Crown and Dignity, to- " gether with his Juſt and Legal Prerogative, againſt all Perſons and Power " whatſoever: That they would defend the true Proteſtant Religion, eſta- " bliſhed by the Law of the Land; the Lawful Liberties of the Subject of " *England*; and juſt Priviledges of his Majeſty, and both his Houſes of Par- " liament: And laſtly, they engaged themſelves not to obey any Rule, Or- " der, or Ordinance whatſoever, concerning any Militia, that had not the " Royal Aſſent,

The promiſe of the Lords and others thereupon.

This being Subſcribed by their Lordſhips was, with their conſent, immediately printed, and carefully divulged over the Kingdom, bearing date at *York* the thirteenth of *June*, 1642, with the Names of the Subſcribers. Two days after, his Majeſty in Council taking notice of the Rumours ſpread, and Informations given, which might induce many to believe, that his Majeſty intended to make War againſt his Parliament, " profeſſed before God, and ſaid, " he declared to all the World, that he always had, and did abhor all ſuch De- " ſigns, and deſired all his Nobility and Council, who were there upon the place, " to declare, whether they had not been Witneſſes of his frequent, and earneſt " Declarations and Profeſſions to that purpoſe: Whether they ſaw any Co- " lour of Preparation or Councils, that might reaſonably beget a belief of any " ſuch deſign; and whether they were not fully perſwaded, that his Majeſty had " no ſuch Intention: But that all his Endeavours, according to his many Pro- " feſſions, tended to the firm and and conſtant ſettlement of the true Pro- " teſtant Religion; the juſt Priviledges of Parliament; the Liberty of the " Subject; the Law, Peace, and Proſperity of this Kingdom:

His Majeſty's Declaration and profeſſion of June 15. 1642 *diſavowing any Intentions of raiſing War.*

Whereupon all the Lords, and Counſellors preſent, unanimouſly agreed, and did ſign a Paper in theſe words:

" We whoſe Names are underwritten, in obedience to his Majeſty's deſire, " and out of the duty which we owe to his Majeſty's Honour, and t o Truth, " being here upon the place, and Witneſſes of his Majeſty's frequent, and ear- " neſt Declarations and Profeſſions of his abhorring all Deſigns of making " War upon his Parliament; and not ſeeing any colour of Preparations or " Counſels, that might reaſonably beget the belief of any ſuch Deſigns, do " profeſs before God, and teſtify to all the World, that we are fully perſwaded " that his Majeſty hath no ſuch intention: But that all his endeavours tend to " the firm and conſtant ſettlement of the true Proteſtant Religion; the juſt " Priviledges of Parliament; the Liberty of the Subject; the Law, Peace, " and Proſperity of his Kingdom. Which Teſtimony, and Declaration was " Subſcribed by.

The Declaration, and Profeſſion of the Lords and Counſellors to the ſame effect.

Lord *Littleton* Lord Keeper.
Marquis of *Hertford.*
Earl of *Southampton.*
Earl of *Devonſhire.*
Earl of *Clare.*
Earl of *Monmouth.*
Earl of *Carnarvan.*
Lord *Willoughby* of *Eresby.*
Lord *Newark.*
Lord *Rich.*
Lord *Coventry.*
Lord *Capel.*
Lord *Falkland.*

Duke of *Richmond.*
Earl of *Cumberland.*
Earl of *Salisbury.*
Earl of *Cambridge.*
Earl of *Weſtmoreland.*
Earl *Rivers.*
Earl of *Newport.*
Lord *Grey* of *Ruthin.*
Lord *Pawlet.*
Lord *Savil.*
Lord *Dunſmore.*

Earl of *Lindſey.*
Earl of *Bath.*
Earl of *Dorſet.*
Earl of *Northampton.*
Earl of *Briſtol.*
Earl of *Barkſhire.*
Earl of *Dover.*
Lord *Mowbray, and Martravers.*
Lord *Howard* of *Charleton.*
Lord *Lovelace.*
Lord *Mohun.*
Lord *Seymour.*

Sr. *P. Wich* Controller.
Sir. *J. Colepepper* Chan. Exch.
Secretary *Nicholas.*
Lord Chief Juſtice *Banks.*

This teſtimony of the Lords and Counſellors was immediately printed and publiſhed, together with a Declaration of his Majeſty's; in which he ſaid.

His Majeſty's Declaration thereupon.

" That tho' he had, in the laſt ſeven Months, met with ſo many ſeveral " encounters of ſtrange and unuſual Declarations, under the Name of both his " Houſes of Parliament, that he ſhould not be amazed at any new Prodigy " of that kind; and thô their laſt of the 26th of *May* gave him a fair warning " that, the Contrivers of it having ſpent all their ſtock of bitter and reproach- " ful Language upon him, he was now to expect they ſhould break out into " ſome bold, and diſloyal Actions againſt him: And, having by that Decla- " ration, as far as in them lay, deveſted his Majeſty of that Præeminence " and Authority, which God, the Law, the Cuſtom and Conſent of this Na- " tion had placed in him, and aſſumed it to Themſelves, that they ſhould " likewiſe, with expedition, put forth the fruits of that Supreme Power, for " the violating, and ſuppreſſing the other which they deſpiſed (an effect " of which reſolution, he ſaid, their Declaration againſt his Proclamation " concerning the pretended Ordinance for the Militia, and their puniſhing " of the Proclaimers appeared to be) yet, he muſt confeſs, in their laſt At- " tempt (he ſaid, he ſpoke of the laſt he knew; they might probably ſince, or " at that preſent, have out done That too) they had out done what his Majeſty " had conceived was their preſent intention. And whoſoever heard of Pro- " poſitions, and Orders, for the bringing in of Money or Plate to maintain " Horſe and horſe-men, and Arms, for the preſervation of the Publick Peace, " or for the Defence of the King and both Houſes of Parliament (ſuch was " their Declaration, or what they pleaſe to call it of the tenth of *June*) would " ſurely believe the Peace of the Kingdom to be extremely ſhaken; and, at " leaſt, the King himſelf to be conſulted with, and privy to thoſe Propoſiti- " ons. But, he ſaid, he hoped, that when his good Subjects ſhould find, " that that goodly Pretence of defending the King, was but a ſpecious bait " to ſeduce weak, and inconſiderate Men into the higheſt Acts of diſobedi- " ence and diſloyalty againſt his Majeſty, and of violence and deſtruction " upon the Laws and Conſtitutions of the Kingdom, they would no longer " be captivated by an implicit reverence to the Name of both Houſes of " Parliament; but would carefully examine and conſider what number of Per- " ſons were preſent; and What perſons were prevalent in thoſe conſultati- " ons; and how the Debates were probably managed, from whence ſuch hor- " rid and monſtrous Concluſions did reſult; and would at leaſt weigh the Re- " putation, Wiſdom, and Affection of thoſe, who were notorioſly known out " of the very horrour of their Proceedings to have withdrawn themſelves; " or, by their skill and violence to be driven from Them, and their Coun- " ſels.

" His Majeſty ſaid, whilſt their Fears and Jealouſies did ariſe, or were " infuſed into the People, from diſcourſes of the Rebels in *Ireland*, of Skip- " pers at *Roterdam*, of Forces from *Denmark*, *France*, or *Spain* (how improba- " ble and ridiculous ſoever that bundle of Information appear'd to all wiſe, " and knowing Men) it was no wonder if the eaſineſs to deceive, and the " willingneſs to be deceived, did prevail over many of his weak Subjects to " believe, that the dangers, which they did not ſee, might proceed from cau- " ſes which they did not underſtand: But for them to declare to all the world, " that his Majeſty intended to make War againſt his Parliament (whilſt he ſat " ſtill complaining to God Almighty of theinjury offer'd to Him, and to the very " Being of Parliaments) and that he had already begun actually to levy " Forces both of Horſe and Foot (whilſt he had only in a legal way, provid- " ed a ſmaller Guard for the ſecurity of his own Perſon ſo near a Rebellion " at *Hull*, than they had, without Lawful Authority, above theſe eight " Months, upon imaginary and impoſſible dangers) to impoſe upon his Peo- " les Senſe, as well as their Underſtanding, by telling them his Majeſty was " doing that which they ſaw he was not doing, and intending that, they all " knew, as much as Intentions could be known, he was not intending, was a " a boldneſs agreeable to no power but the Omnipotency of thoſe Votes, " whoſe abſolute Supremacy had almoſt brought confuſion upon the King " and People; and againſt which no knowledge in matter of Fact, or Con- " ſent and Authority in matter of Law, they would endure ſhould be op- " poſed.

" His

" His Majeſty ſaid, he had upon all occaſions, with all poſſible expreſſions, " profeſſed his firm and unſhaken reſolutions for Peace. And, he ſaid, he " did again, in the preſence of Almighty God, his Maker and Redeemer, " aſſure the world, that he had no more thought of making War againſt his " Parliament, than againſt his own Children: That he would obſerve, and " maintain the Acts aſſented to by him this Parliament without violation; " of which, That for the frequent Aſſembling of Parliaments was one: And " that he had not, nor would have, any thought of uſing any Force; unleſs " he ſhould be driven to it, for the ſecurity of his Perſon, and for the de- " fence of the Religion, Laws, and Liberty of the Kingom, and the juſt " Rights and Priviledges of Parliament: And therefore he hoped the Ma- " lignant Party, who had ſo much deſpiſed his Perſon, and uſurped his Of- " fice, ſhould not by their ſpecious fraudulent inſinuations, prevail with his " good Subjects to give credit to their wicked Aſſertions; and ſo to contribute " their Power and Aſſiſtance for the ruin and deſtruction of Themſelves and " his Majeſty.

" For the Guard about his Perſon (which, he ſaid not ſo much their " Example, as their Provocation had enforced him to take) it was known it " conſiſted of the prime Gentry, in fortune and reputation, of that Country; " and of One Regiment of Train'd-bands; who had been ſo far from offering " any Affronts, Injuries, or Diſturbance to any of his good Subjects, that " their principal End was to prevent ſuch; and ſo, might be Security, could " be no Grievance to his People. That ſome ill affected Perſons, or any " Perſons, had been employed in other parts to raiſe Troops, under colour " of his Majeſty's Service; or that ſuch had made large, or any, offers of re- " ward, and preferment to ſuch as would come in, which had been alledged " by them, was, he ſaid, for ought he knew, or believed, an untruth deviſed " by the Contrivers of that falſe Rumour. His Majeſty diſavowed it, and " ſaid he was confident there would be no need of any ſuch Art, or Induſtry, " to induce his loving Subjects, when they ſhould ſee his Majeſty oppreſſed, " and their Liberties and Laws confounded (and till Then he would not call " on them) to come into him, and to aſſiſt him.

" For the Delinquents, whom his Majeſty was ſaid with a high and forcible " hand to protect, he wiſhed they might be named, and their Delinquency: " And if his Majeſty gave not ſatisfaction to Juſtice, when he ſhould have " received ſatisfaction concerning Sr. *John Hotham* by his Legal Trial, Then " let him be blamed. But if the deſign were, as it was well known to be, " after his Majeſty had been driven by force from his City of *London*, and " kept by force from his Town of *Hull*, to protect all thoſe who were De- " linquents againſt him, and to make all thoſe Delinquents who attended on " him, or executed his Lawful Commands, he ſaid, he had great reaſon to " be ſatisfied in the truth and juſtice of ſuch Accuſation, leſt to be his Maje- " ſty's Servant, and to be a Delinquent grew to be Terms ſo convertible, that, " in a ſhort time, he were left as naked in Attendance, as they would have " him in Power; and ſo compel him to be waited upon only by ſuch whom " They ſhould appoint, and allow; and in whoſe preſence he ſhould be more " miſerably alone, than in deſolation it ſelf. And if the ſeditious Contriv- " ers and Fomenters of that Scandal upon his Majeſty, ſhould have, as they " had had, the power to miſlead the Major part preſent of either or both " Houſes to make ſuch Orders, and ſend ſuch Meſſages and Meſſengers, as " they had lately done, for the apprehenſion of the great Earls and Barons of " *England*, as if they were Rogues or Felons; and whereby Perſons of Honour " and Quality were made Delinquents, meerly for attending upon his Maje- " ſty and upon his Summons; whilſt other Men were forbid to come near " him, tho' obliged by the duty of their Place and Oaths, upon his Lawful " Commands: It was no wonder if Such Meſſengers were not very well " intreated; and Such Orders not well obeyed; neither could there be a ſu- " rer, or a cunninger way found out to render the Authority of both Houſes " ſcorn'd and vilified, than to aſſume to themſelves (meerly upon the Au- " thority of the Name of Parliament) a Power monſtrous to all underſtand- " ings; and to do Actions, and to make Orders, evidently and demonſtrably

" contrary to all known Law, and Reaſon (as to take up Arms againſt his Majeſty " under colour of defending him; to cauſe Money to be brought into " Them, and to forbid his own Money to be paid to his Majeſty, or to his uſe, " under colour that he would imploy it ill; to beat him, and ſtarve him for his " own Good, and by his Power and Authority) which would in ſhort " time make the greateſt Court, and greateſt Perſon, cheap and of no eſti- " mation.

" Who thoſe ſenſible Men were of the publick Calamities, of the violati- " ons of the Priviledges of Parliament, and the Common Liberty of the " Subject, who had been baffled, and injured by Malignant Men, and Cava- " liers about his Majeſty, his Majeſty ſaid, he could not imagine. And if " thoſe Cavaliers were ſo much without the fear of God and Man, and ſo " ready to commit all manner of outrage and violence, as was pretended, " his Majeſty's Government ought to be the more eſteem'd, which had kept " them from doing ſo; inſomuch as he believed, no Perſon had cauſe to " complain of any injury, or of any damage, in the leaſt degree, " by any Man about his Majeſty, or who had offer'd his Service to him. " All which being, he ſaid, duly conſider'd, if the Contrivers of thoſe " Propoſitions and Orders had been truly ſenſible of the obligations, which " lay upon them in Honour, Conſcience and Duty, according to the high " Truſt repoſed in them by his Majeſty, and his People, they would not " have publiſhed ſuch a ſenſe and apprehenſion of Imminent danger, when " themſelves, in their Conſciences, knew that the greateſt, and indeed only " danger, which threaten'd the Church and State, the bleſſed Religion and " Liberty of his People, was in their own deſperate, and ſeditious Deſigns; " and would not have endeavoured, upon ſuch weak and groundleſs reaſons, " to ſeduce his good Subjects from their Affection and Loyalty to him, to run " themſelves into Actions unwarrantable, and deſtructive to the Peace, and " Foundation of the Common-wealth.

" And that all his loving Subjects might ſee, how cauſleſs and groundleſs " that ſcandalous Rumour, and Imputation of his Majeſty's raiſing War up- " on his Parliament, was, he had, with that his Declaration, cauſed to be " printed the Teſtimony of thoſe Lords, and other Perſons of his Council, " who were there with him; who, being upon the place, could not but " diſcover ſuch his Intentions and Preparations; and could not be ſuſpected " for their Honours and Intereſt to combine in ſuch miſchievous, and horrid " reſolutions.

" And therefore, his Majeſty ſaid, he ſtreightly charged and commanded " all his loving Subjects, upon their Allegiance, and as they would Anſwer " the contrary at their Perils, that they ſhould yield no obedience, or conſent " to the ſaid Propoſitions and Orders; and that they preſume not under any " ſuch Pretences, or by colour of any ſuch Orders, to raiſe or levy any " Horſe or Men, or to bring in any Money or Plate to ſuch purpoſe. But, he " ſaid, if notwithſtanding that clear Declaration, and Evidence of his in- " tentions, thoſe Men (whoſe deſign it was to compel his Majeſty to raiſe " War upon his Parliament; which all their skill and malice ſhould never be " able to effect) ſhould think fit, by thoſe Alarms, to awaken him to a more " neceſſary care of the defence of Himſelf, and his People; and ſhould " Themſelves, under colour of Defence, in ſo unheard of a manner provide " (and ſeduce others to do ſo too) to Offend his Majeſty, having given him " ſo lively a Teſtimony of their Affections, what they were Willing to do, " when they ſhould once have made themſelves Able; all his good Subjects " would think it neceſſary for his Majeſty to look to Himſelf. And he did " therefore excite all his well affected People, according to their Oaths of " Allegiance, and Supremacy, and according to their ſolemn Vow, and Prote- " ſtation (whereby they were obliged to defend his Perſon, Honour, and " Eſtate) to contribute their beſt Aſſiſtance to the Preparations neceſſary " for the oppoſing, and ſuppreſſing of the Trayterous Attempts of ſuch " wicked and malignant Perſons; who would deſtroy his Perſon, Honour, " and Eſtate, and engage the whole Kingdom in a Civil War, to ſatisfy their " own lawleſs Fury and Ambition; and ſo rob his good Subjects of the bleſ- " ſed fruit of this preſent Parliament; which they already in ſome degree

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" had, and might ſtill reap, to the abundant ſatisfaction and joy of the whole " Kingdom, if ſuch wicked hands were not ready to ruin all their poſſeſſions, " and fruſtrate all their hopes. And, in that caſe, his Majeſty declared, that " whoſoever, of what Degree or Quality ſoever, ſhould then, upon ſo ur- " gent and viſible neceſſity of His, and ſuch apparent diſtraction of the King- " dom, cauſed, and begotten by the malice and contrivance of that Malig- " nant Party, bring into his Majeſty, and to his uſe, ready Money, or Plate; " or ſhould underwrite to furniſh any Number of Horſe, Horſemen, and " Arms, for the preſervation of the Publick Peace and defence of his Per- " ſon, and the vindication of the Priviledge and Freedom of Parliament, " he would receive it as a moſt acceptable Service, and as a Teſtimony of " his ſingular Affection to the Proteſtant Religion, the Laws, Liberties, and " Peace of the Kingdom; and would no longer deſire the continuance of " that Affection, than he would be ready to juſtify, and maintain the other "with the hazard of his life.

And ſo concluded with the ſame Overtures They had done, in their Propoſitions for the Loan of Money at intereſt; " offering, for the ſecurity " thereof, an Aſſurance of ſuch his Lands, Forreſts, Parks, and Houſes, " as ſhould be ſufficient for the ſame; a more real ſecurity, he ſaid, than the " Name of publick Faith, given without him, and againſt him; as if his " Majeſty were not part of the Publick: And beſides, he would always look " upon it as a ſervice moſt affectionately, and ſeaſonably performed for the " preſervation of his Majeſty, and the Kingdom. But, he ſaid, he ſhould " be much gladder that their ſubmiſſion to thoſe his Commands, and their de- " ſiſting from any ſuch Attempt of raiſing Horſe or Men, might eaſe all his " good Subjects of that charge, trouble and vexation.

It will be wonder'd at hereafter, when, by what hath been ſaid, the Number and Quality of the Peers is conſider'd, who, by abſenting themſelves from the Houſe, and their reſort to his Majeſty, ſufficiently declared, that they liked not thoſe Concluſions which begot thoſe Diſtractions; why both thoſe Peers and likewiſe ſuch Members of the Commons, who then, and afterwards appeared in the King's Service, and were indeed full, or very near one Moiety of that Houſe, did not rather, by their diligent and faithful Attendance in the Houſes, according to their ſeveral Truſts repoſed in them, diſcountenance and reſiſt thoſe pernicious and fatal tranſactions, than, by withdrawing themſelves from their proper Stations, leave the other (whoſe ruinous Intentions were ſufficiently diſcover'd) poſſeſſed of the Reputation, Authority, and Power of a Parliament; by which, it was evident, the People would be eaſily, to a great degree, ſeduced. And tho' the obſerving Reader may, upon the collection of the ſeveral paſſages here ſet down, be able to anſwer thoſe objections to himſelf; I am the rather induced, in this place, to apply my ſelf to the clearing that Point, becauſe not only many honeſt Men, who, at a diſtance, have conſider'd it, without being Privy to the paſſages within the walls, and thoſe breaches which fatally deſtroyed, and took away the Liberty and Freedom of thoſe Councils, have been really troubled or unſatisfied with that Deſertion, as they call it, of the Service to which they were incumbent, and choſen; but that I have heard ſome, who were the chief, if not the ſole Promoters of thoſe Violations, and the moſt violent Deſigns, and have ſince (out of the Ruptures, which have proceeded from their own Animoſities) either been, or been thought to be, more moderately inclined, complain, " that the withdrawing of ſo many Members " from the two Houſes, was the Principal Cauſe of all Calamities. And they who have been the true Authors of them, and ſtill continue the ſame men, have taken pains to make, and declare the others " Deſerters of their Coun- " try, and Betrayers of their Truſts, by their Voluntary withdrawing them- " ſelves from that Council.

In the doing whereof, I ſhall not, I cannot, make any excuſe for thoſe (of whom ſomewhat is before ſpoken) who, from the beginning of this Parliament, and in the whole progreſs of it, either out of lazineſs, or negligence, or incogitancy, or wearineſs, forbore to give their attendance there, when the Number of thoſe who really intended theſe prodigious Alterations

was very inconſiderable; and daily drew many to their opinions, upon no other ground than that the Number of the Diſſenters appeared not equally diligent, and intent upon their Aſſertions: Neither can I excuſe the Peers, the moderate part whereof being Four for One, ſuffer'd themſelves to be couſen'd, and perſwaded, and threaten'd out of their Rights by a handful of Men, whom they might, in the beginning, eaſily have cruſhed; whereas in in the Houſe of Commons the great Managers were Men of notable parts, much reputation, admirable dexterity; Pretenders to ſevere Juſtice, and regularity; and then the Number of the weak, and the wilful, who naturally were to be guided by them, always made up a Major part; ſo that, from the beginning, they were always able to carry whatſoever they ſet their hearts viſibly upon; at leaſt, to diſcredit, or diſgrace any particular Man againſt whom they thought neceſſary to proceed, albeit of the moſt unblemiſh'd reputation, and upon the moſt frivolous ſuggeſtions; ſo that they could not but be very formidable, in that Houſe, to all but the moſt abſtracted Men from all Vulgar conſiderations.

But, I am confident, whoſoever diligently revolves the ſeveral paſſages in both Houſes, from the time of the publiſhing the firſt Remonſtrance, upon his Majeſty's return from *Scotland*, to the time of which we laſt ſpeak, muſt be of opinion, that the reſorting of ſo many Members Then to his Majeſty (from whom all the Lords, and ſome of the Commons, received Commands to that purpoſe) or to ſuch places, where they thought they might be of greateſt uſe to his Majeſty in preſervation of the Peace of the Kingdom, was not only an Act of Duty, but of ſuch Prudence and Diſcretion, as ſober and honeſt Men were to be guided by. In the Houſe of Peers, the Biſhops, who had as much Right to ſit there, and were as much Members of Parliament as any Lord there, were firſt, by direct violence and force, a great part of them, driven and kept from thence, till the Bill, for the Total expulſion of the whole Order from thoſe ſeats, was paſſed; ſuch of the Peers, who were moſt remarkable for adhering to the Government of the Church, being in the mean time threaten'd publickly by the Rabble; and ſome of their Perſons aſſaulted. The buſineſs of the Militia had been twice, upon ſolemn debate in a full Houſe, rejected there; till ſuch force and violence was brought to the very doors, ſuch expoſtulations and threats delivered within the doors, againſt thoſe, who refuſed to concur with them in that buſineſs, that no Man had reaſon to believe his life out of danger from thoſe rude hands, who was taken notice of for an Oppoſer of their unreaſonable deſires; ſome of them having been declared Enemies to their Country, for having refuſed what was in their power lawfully to refuſe; and others having been Criminally accuſed by the Commons, for Words ſpoken by them in Debates of the Houſe of Peers; after which many of them were ſent for, by ſpecial Letters to attend his Majeſty (which Letters were always thought to be a good and warrantable, and ſufficient ground to be abſent from the Houſe; nor had ſuch Summons, from the beginning of Parliaments to this preſent, ever been neglected) with whom they had not been many weeks, but two of them, as hath been mention'd before, upon an untrue and extravagant information, without further examination, were declared Enemies to the Kingdom; and nine others by ſolemn judgment, upon an Impeachment brought up by the Commons againſt them, only for being abſent, and for what only concern'd the Priviledge and Juriſdiction of the Peers, were diſabled to ſit in the Houſe again during this Seſſion; ſo that, if they would have returned, they were actually excluded that Council.

In the Houſe of Commons the caſe was worſe: Firſt, they who had, with that Liberty which is eſſential to Parliaments, and according to their underſtandings, diſſented or declared a diſlike of what the Violent Party ſo vehemently purſued, were, as hath been ſaid before, declared Enemies to their Country; and their Names poſted up in Paper, or Parchment, at moſt eminent places, under ſome opprobrious Character; which, tho' it was not avowed, and had no Authority from the Houſe by any publick Act, yet, being complain'd of, was neither redreſſed, nor was the complaint

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ſo countenanc'd, that it could be concluded the Violation was unacceptable: ſo, tho' the Tumults were not directly ſummon'd or aſſembled, it is evident, by what hath been before ſet forth truly and at large, that they found there viſible countenance, and encouragement.

Then, what had been, upon full and ſolemn Debates in a full Houſe, rejected, was many times, in a thin Houſe, and at unuſual and unparliamentary Hours, reſumed, and determined contrary to the former Concluſions: Yet Men ſatisfied themſelves with doing what they thought their Duty, and reaſonably oppoſing what the Major part order'd to be done; hoping that Men's underſtandings would be ſhortly better inform'd; and that tho' high and irreverent Expreſſions, and Words were ſometimes uſed againſt the King, there would be abſtaining from unlawful and dangerous Actions; and that the Houſe of Peers, at leaſt, would never be brought to joyn, or concur in any Act prejudicial to the Soveraign power. But when they ſaw a new way found out, by the dexterity of the Major part in the Houſe of Commons, to make the Minor part of the Lords too hard for the Major; and ſo, whilſt all Men were tranſported with jealouſy of the breach of Priviledge of Parliament by the King, that there was, by the Houſes Themſelves, an abſolute rooting up of all Priviledges: That from Metaphyſical conſiderations, what *might* be done in caſe of Neceſſity, the Militia of the Kingdom was Actually ſeized on; and put under a command contrary to, and againſt the King's Command: That there was then a Reſolution taken by thoſe (who could Act their Reſolutions when they pleaſed) to make a General; and to oblige all the Members to live and dye with that General; which will be anon more particularly mention'd (for that Reſolution was well known before the time, that thoſe many Members removed to *York*, and withdrew to other places; and was executed within three or four days after) Men thought it high time to look to their innocence, and (ſince by the Courſe and Orders of that Houſe, they could leave no monument or evidence of their diſſenting, as the Lords might, by their Proteſtations upon any unlawful Act, or Reſolution) to declare their diſlike of what was Done, by not being preſent at the Doing: And it was reaſonably thought, there being no other way peaceably and ſecurely to do it, that the Kingdom, underſtanding the Number of thoſe that were preſent at ſuch new tranſactions, and weighing the Quality, Number, and Reputation of thoſe who were abſent, would be beſt induced to prefer the old Laws of the Kingdom, beforethe new Votes (deſtructive to thoſe Laws) of thoſe few Men, who called themſelves the two Houſes of Parliament; and that it would prove a good Expedient to work upon the conſciences, and modeſty of thoſe who ſtayed behind, to conclude it neceſſary, by ſome fair Adreſſes to his Majeſty, to endeavour ſuch a general good underſtanding, that a perfect union might be made; and the Priviledge, Dignity, and Security of Parliament, be eſtabliſhed according to the true, and juſt Conſtitution of it.

It is true, how reaſonably ſoever it might be axpected, it produced not that Ingenuity; but they who had been troubled without the company of them that afterwards withdrew, and, by the oppoſition they made, could not make that expedition in the miſchief they intended, were glad they were rid of them; yet, ſhortly, conſidering what influence indeed it might have upon underſtanding Men, they found a way to caſt a reproach upon thoſe who were abſent, and yet to prevent any inconvenience to themſelves by their return; publiſhing an Order, "that all the Members abſent ſhould ap-"pear at ſuch a day, under the Penalty of paying each 100 *l.* fine for his "abſence; and whoſoever did not appear at that day (which gave not time enough to any who were at a diſtance) "ſhould not preſume to ſit in the "Houſe, before he had paid his fine, and ſatisfied the Houſe with the cauſe "of his abſence. So that all thoſe who were with the King, and very many more, who had really withdrawn themſelves to refreſh their minds, or upon neceſſary affairs of their own, with a purpoſe to return, clearly diſcern'd themſelves excluded from ſitting any more there; it being ſufficiently manifeſt, that the cauſe of their abſence would never be approved, if their Perſons were diſliked, and their Opinions diſapproved: Which appeared quick-

ly; for the day was no ſooner paſt, but they, without the leaſt warrant of Precedent or colour of Right, expelled very many, ſometimes twenty a day, not only of thoſe who were with the King, but of others who had given them equal diſtaſte; and ordered new Writs to iſſue out to chooſe other Members in their Rooms.

It cannot be denied but ſome very honeſt and intire Men ſtayed ſtill there, and oppoſed all their unjuſtifiable proceedings with great courage, and much liberty of Speech; which was more frankly permited to them than had been before, when the Number of the Diſſenters was greater; and it may be there are ſtill ſome who ſatisfy themſelves that they have performed their Duty, by always having denied to give their conſent to whatſoever hath been ſeditiouſly, or illegally concluded. But I muſt Appeal to the Conſciences of thoſe very Men, whether they have not been many times, by ſtaying there, compelled or terrified to do, and ſubmit to many Acts contrary to their Conſcience, in caſes of Conſcience; and contrary to their Judgment and Knowledge, in matters of Law, and Right; and contrary to their Oaths and Duties, in matters of Allegiance; and whether if they had refuſed ſo to do, they ſhould not have been plunder'd, expelled, and committed to Priſon? And then They cannot be thought to have proceeded unreaſonably, who, to preſerve their Innocence, and their Liberty, choſe to undergo all the other Cenſures and Difficulties, which could befal them, and which have been ſince plentifully poured upon them. But to return.

The King had, at this time, called to him ſome Judges, and Lawyers of eminency; by whoſe Advice he publiſhed a Declaration concerning the Militia, and aſſerted "the Right of the Crown in granting Commiſſions of "Array, for the better ordering and governing thereof; and, at the ſame time, iſſued out thoſe Commiſſions to all Counties, "expreſsly forbidding "any obedience to be given to the Ordinance for the Militia by both "Houſes, under the penalty of High Treaſon. This only improved the Paper-combate in Declarations; either party inſiſting, "that the Law was "on Their ſide; and the People giving obedience to either, according to their conveniences: And many did believe, that if the King had reſorted to the old known way of Lord Lieutenants, and Deputy Lieutenants, his ſervice would have been better carried on; the Commiſſion of Array being a thing they had not before heard of, tho' founded upon an Ancient Act of Parliament in the Reign of *Hen.* IV. and ſo was received with jealouſy, and eaſily diſcredited by the gloſſes and ſuggeſtions of the Houſes.

Beſides that ſome Men of very good Affections to the Crown, and averſe enough to the extravagant pretences and proceedings of the parliament, did not conceal their prejudice to the Commiſſion of Array, as not warranted by Law; which did very much work upon other Men, and made the obedience leſs chearful that was given to that ſervice. Mr. *Selden* had, in the Debate upon that Subject in the Houſe of Commons, declared himſelf very poſitively, and with much ſharpneſs, againſt the Commiſſion of Array, as a thing expreſsly without any Authority of Law; the Statute upon which it was grounded being, as he ſaid, repealed; and diſcourſed very much of the ill Conſequences, which might reſult from ſubmitting to it: He Anſwer'd the Arguments which had been uſed to ſupport it; and eaſily prevailed with the Houſe not to like a proceeding, which they knew was intended to do them hurt, and to leſſen their Authority. But his Authority and Reputation prevailed much further than the Houſe, and begot a prejudice againſt it in many well affected Men without doors: When the King was inform'd of it, he was much troubled, having looked upon Mr. *Selden*, as well diſpoſed to his Service. And the Lord *Falkland*, with his Majeſty's leave, writ a friendly Letter to Mr. *Selden*, "to know his reaſon, why, in ſuch a conjuncture, "whatever his opinion were, he would oppoſe the ſubmiſſion to the Com-"miſſion of Array, which no body could deny to have had it's original from "Law, and which many Learned Men ſtill believed to be very Legal, to "make way for the eſtabliſhment of an Ordinance, which had no manner "of pretence to Right. He Anſwer'd this Letter very frankly; as a Man who

who believed himſelf in the right upon the Commiſſion of Array, and that the Arguments he had uſed againſt it could not be Anſwer'd; ſumming up ſome of thoſe Arguments in as few words as they could be comprehended in: But then he did as frankly inveigh againſt the Ordinance for the Militia, "which, he ſaid, was without any ſhadow of Law or pretence of Precedent, "and moſt deſtructive to the Government of the Kingdom: And he did ac- "knowledge, that he had been the more inclined to make that diſcourſe "in the Houſe againſt the Commiſſion, that he might with the more free- "dom argue againſt the Ordinance; which was to be conſider'd upon a day "then appointed, And he was moſt confident, that he ſhould likewiſe over- "throw the Ordinance; which, he confeſſed, could be leſs ſuppported; and "he did believe, that it would be much better, if both were rejected, than "if either of them ſhould ſtand, and remain uncontrolled. But his confi- dence deceived him; and he quickly found, that They who ſuffer'd them- ſelves to be intirely govern'd by his Reaſon, when thoſe Concluſions reſulted from it, which contributed to their own deſigns, would not be at all guided by it, or ſubmit to it, when it perſwaded that which contradicted, and would diſappoint thoſe deſigns: And ſo, upon the day appointed for the de- bate of their Ordinance, when he applied all his faculties to the convincing them of the illegallity and monſtrouſneſs of it, by arguments at leaſt as clear and demonſtrable as his former had been, they made no impreſſion upon them; but were eaſily anſwer'd by thoſe, who with moſt Paſſion inſiſted up- on their own ſenſe. He had ſatisfied them very well, when he concurred with them in judgment; but his Reaſons were weak, when they croſſed their Reſolutions. So moſt Men are deceived in being too Reaſonable; concluding that Reaſon will prevail upon thoſe Men to ſubmit to what is Right and Juſt, who have no other conſideration of Right or Juſtice, but as it advances their Intereſt, or complies with their Humour, and Paſſion. And ſo eaſy it hath always been to do harm, and to miſlead Men, and ſo hard to do good, and reduce them to Reaſon.

Theſe Paper-skirmiſhes left neither ſide better inclined to the other; but by ſharpning each other, drew the matter nearer to an iſſue. The King had written a Letter to the Mayor and Aldermen of *London*, and to the Maſters and Wardens of each Company; by which, "he aſſured them of his deſire "of the Peace of the Kingdom; and therefore required them, as they ten- "der'd their Charter of the City, and their own particular Welfares, not to "bring in Horſes, Money, or Plate upon the Propoſitions of the Houſes; "whereby, under pretence of raiſing a Guard for the Parliament, Forces "would be levyed, and, in truth, imployed againſt his Majeſty: Of which the Houſes taking notice, publiſhed a Declaration to the City, "That they "could not be ſecured by his Majeſty's Proteſtations, that his deſires and "purpoſes were for the Publick Peace; ſince it appeared, by divers expreſ- "ſions, and proceedings of his Majeſty, that he intended to uſe Force againſt "thoſe, who ſubmitted to the Ordinance of the Militia; and that he had "likewiſe ſome intention of making an Attempt upon *Hull*. In both which "caſes, they did declare, that whatſoever Violence ſhould be uſed, either a- "gainſt thoſe who exerciſe the Militia, or againſt *Hull*, They could not but "believe it as done againſt the Parliament. They told them that the dange- "rous, and miſchievous intentions of ſome about his Majeſty were ſuch, that "whatſoever was moſt precious to Men of Conſcience and Honour, as Reli- "gion, Liberty, and Publick Safety, were like to be overwhelmed, and loſt "in the general confuſion and calamity of the Kingdom; which would not "only queſtion, but overthrow the Charter of the City of *London*; expoſe "the Citizens, their Wives and Children, to violence and villany; and leave "the Wealth of that famous City as a Prey to thoſe deſperate, and neceſſi- "tous Perſons: And therefore they forbid all the Officers to publiſh that "Paper, as they would anſwer their Contempt to the Parliament; by the "Power and Authority of which, they aſſured them, they ſhould be protect- "ed, and ſecured in their Perſons, Liberties, and Eſtates, for whatſoever "they ſhould do by Their advice or perſwaſion.

The Parliaments Declaration to the City, upon a Letter from the King to the L. Mayor, and Aldermen.

The King's Reply.

To this the King replied, " That he wonder'd ſince they had uſurped the " ſupreme Power to themſelves, they had not taken upon them the ſupreme " Style too; and directed their very new Declaration to their Truſty and " Well-beloved, their Subjects of the City of *London:* For it was too great " and palpable a Scorn, to perſwade them to take up Arms againſt his Perſon, " under Colour of being loving Subjects to his Office; and to deſtroy his " Perſon, that they might preſerve the King: That he was beholding to " them, that they had explain'd to all his good Subjects the meaning of " their Charge againſt his Majeſty, that by his intention of making War " againſt his Parliament, no more was pretended to be meant, but his reſoluti- " on not to ſubmit to the high Injuſtice and Indignity of the Ordinance for " the Militia, and the buſineſs of *Hull.* He ſaid, he had never concealed his " intentions in either of thoſe Particulars (he wiſhed They would deal as " clearly with Him) but had always, and did now declare, That that pre- " tended Ordinance was againſt the Law of the Land; againſt the Liberty " and Property of the Subject; deſtructive to Soveraignty; and therefore not " conſiſtent with the very Conſtitution and Eſſence of the Kingdom, and the " Right and Priviledge of Parliament: That he was bound by his Oath (" and all his Subjects were bound by theirs of Allegiance, and Suprema- " cy, and their own Proteſtation lately taken, to aſſiſt his Majeſty) to op- " poſe that Ordinance, which was put already in execution againſt him, not " only by Training and Arming his Subjects, but by forcibly removing the " Magazine, from the place truſted by the County, to their own Houſes, " and guarding it there with Arm'd Men: Whither it would be next remov- " ed, and how uſed by ſuch Perſons, he knew not.

" That the keeping his Majeſty out of *Hull* by Sir *John Hotham*, was an " Act of High-Treaſon againſt his Majeſty; and the taking away his Ma- " gazine and Munition from him, was an Act of Violence upon his Maje- " ſty, by what hands or by whoſe direction ſoever it was done: And in " both caſes, by the help of God, and the Law, his Majeſty ſaid, he would " have Juſtice, or loſe his Life in the requiring it; the which he did not va- " lue at that rate, as to preſerve it with the Infamy of ſuffering himſelf to " be robbed, and ſpoiled of that Dignity he was born to. And if it were " poſſible for his good Subjects to believe, that ſuch a Defence of himſelf, " with the utmoſt power and ſtrength he could raiſe, was making a War " againſt his Parliament, he did not doubt, however it ſhould pleaſe God to " diſpoſe of him in that contention, but the juſtice of his Cauſe would, at " the laſt prevail againſt thoſe few Malignant Spirits, who, for their own " ends and ambitious deſigns, had ſo miſled and corrupted the underſtandings " of his People. And ſince neither his own Declaration, nor the Teſtimony " of ſo many of his Lords, then with his Majeſty, could procure credit with " thoſe Men, but that they proceeded to levy Horſe, and to raiſe Money " and Arms againſt his Majeſty, he ſaid he was not to be blamed, if after " ſo many gracious expoſtulations wirh them upon undeniable principles of " Law and Reaſon (which they anſwer'd only by Voting that which his " Majeſty ſaid, to be neither Law, nor Reaſon; and ſo proceeded actually " to levy War upon his Majeſty, to juſtify that which could not be other- " wiſe defended) at laſt he made ſuch proviſion, that as he had been driven " from *London*, and kept from *Hull*, he might not be ſurpriſed at *York*; but " be in a condition to reſiſt, and bring to juſtice thoſe Men, who would " perſwade his People that their Religion was in danger, becauſe his Maje- " ſty would not conſent it ſhould be in Their power to alter it by their Votes; " or their Liberty in danger, becauſe he would allow no Judge of that Li- " berty, but the known Law of the Land: Yet, he ſaid, whatever proviſi- " on he ſhould be compelled to make for his ſecurity, he would be ready to " lay down, aſſoon as they ſhould revoke the Orders by which they had " made Levies, and ſubmitted thoſe Perſons who had detain'd his Towns, " carried away his Arms, and put the Militia in execution contrary to his " Proclamation, to that Trial of their innocence, which the Law had di- " rected, and to which they were born: If that were not ſubmitted to, he " ſhould with a good conſcience proceed againſt thoſe who ſhould preſume " to exerciſe that pretended Ordinance for the Militia, and the other who

" ſhould

" ſhould keep his Town of *Hull* from him, as he would reſiſt Perſons who came to take away his Life, or his Crown from him.

" And therefore his Majeſty again remember'd, and required his City of " *London* to obey his former Commands; and not to be miſled by the Oration " of thoſe Men, who were made deſperate by their Fortunes, or their For- " tunes by Them; who told them their Religion, Liberty, and Property, " was to be preſerved no other way, but by their Diſloyalty to his Majeſty: " That they were now at the brink of the River, and might draw their " Swords (which was an expreſſion uſed at a great convention of the City) " when nothing purſued them but their own evil Conſciences. He wiſhed " them to conſider, whether their Eſtates came to them, and were ſettled " upon them, by Orders of both Houſes, or by that Law which his Maje- " ſty defended: What ſecurity they could have to enjoy their own, when " they had helped to rob his Majeſty, and what an happy concluſion That " War was like to have, which was raiſed to oppreſs their Soveraign: That " the wealth and glory of their City was not like to be deſtroyed any other " way, but by Rebelling againſt his Majeſty; and that way inevitably it " muſt; nor their Wives and Children to be expoſed to violence and villany, " but by thoſe who make their Appetite and Will the meaſure, and guide to " all their Actions. He adviſed them not to fancy to themſelves Melancholy " apprehenſions, which were capable of no ſatisfaction; but ſeriouſly to " conſider what ſecurity they could have, that they had not under his Maje- " ſty, or had been offer'd by him: And whether the Doctrine thoſe Men " taught, and would have them defend, did not deſtroy the Foundations upon " which their ſecurity was built?

The great conflux that hath been mention'd, of Men of all Conditions, and Qualities, and Humours, could not continue long together at *York*, without ſome impatience and commotion; and moſt Men wonder'd, that there appear'd no proviſions to be made towards a War, which they ſaw would be inevitable: And when the Levies of Soldiers under the Earl of *Eſſex* were haſten'd with ſo much vigour, that the King ſhould have no other Preparations towards an Army, than a ſingle Troop of Guards made up of Gentlemen Volunteers; who, all Men foreſaw, would quit the Troop when there ſhould be an Army: And many do yet believe, that the King too long deferr'd his recourſe to Arms; and that if he had raiſed Forces upon his firſt repulſe at *Hull*, his ſervice would have been very much advanced; and that the Parliament would not have been able to have drawn an Army together. And ſo Men ſtill reproach the Counſels which were then about the King, as they were cenſured by many at that time; but neither They then, nor Theſe now do underſtand the true reaſon thereof. The King had not, at that time, one Barrel of Powder, nor one Muſquet, nor any other proviſion neceſſary for an Army; and, which was worſe, was not ſure of any Port, to which they might be ſecurely aſſign'd; nor had he Money for the ſupport of his own Table for the term of one Month. He expected with impatience, the arrival of all thoſe neceſſaries, by the care and activity of the Queen; who was then in *Holland*, and by the ſale of her own, as well as of the Crown Jewels, and by the friendſhip of *Henry* Prince of *Orange*, did all ſhe could to provide all that was neceſſary; and the King had newly directed her to ſend all to *Newcaſtle*, which was but then ſecured to him by the diligence of the Earl of that Name. In the mean time both the King himſelf, and they who beſt knew the ſtate of his Affairs, ſeem'd to be without any thoughts of making War; and to hope, that the Parliament would at laſt incline to ſome Accommodation; for which both his Majeſty, and thoſe Perſons were expoſed to a thouſand reproaches.

The Queen had many difficulties to contend with; for tho' the Prince of *Orange* had a very ſignal affection for the King's Service, and did all he could to diſpoſe the States to concern themſelves in his Majeſty's Quarrel; yet his Authority, and Intereſt, was much diminiſhed with the vigour of his Body and Mind: And the States of *Holland* were ſo far from being inclined to the King, that they did him all the miſchief they could. They had before aſſiſted the Rebellion in *Scotland*, with giving them credit for Arms and Ammunition,

before they had money to buy any; and they did afterwards, ſeveral ways, diſcover their affections to the Parliament; which had ſo many Spies there, that the Queen could do nothing they had not preſent notice of; ſo that it was no eaſy matter for the Queen to provide Arms and Ammunition, but the Parliament had preſent notice of it, and of the ways which were thought upon to Tranſport them to the King: And then their Fleet, under the Command of the Earl of *Warwick*, lay ready to obſtruct and intercept that Communication; nor was any remedy in view to remove this miſchief; inſomuch as it was no eaſy thing for the King to ſend to, or to receive Letters from, the Queen.

There was a ſmall Ship of 28 or 30 Guns, that was part of the Fleet that wafted her Majeſty into *Holland* from *Dover*, which was called the Providence, under the Command of Captain *Straughan*, when the Fleet was Commanded by Sr. *John Pennington*, and before the Earl of *Warwick* was ſuperinduced into that Charge againſt the King's Will. That Ship, the Captain whereof was known to be faithful to his Majeſty, was, by the Queen, detain'd, and kept in *Holland* from the time of her Majeſty's Arrival, under ſeveral pretences, of which the Captain made uſe, when he afterwards received Orders from the Earl of *Warwick* " to repair to the Fleet in the *Downs*; until, after many promiſes and excuſes, it was at laſt diſcern'd, that he had other Buſineſs and Commands, and ſo was watched, by the other Ships, as an Enemy. This Veſſel the Queen reſolved to ſend to the King, principally to inform his Majeſty of the ſtreights ſhe was in; of the proviſions ſhe had made; and to return with ſuch particular Advice, and Directions from his Majeſty, that ſhe might take further reſolutions: And becauſe the Veſſel was light, and drew not much Water, and ſo could run into any Creek, or open Road, or Harbour, and, from thence, eaſily ſend an expreſs to the King; there was put into it about two hunder'd Barrels of Powder, and two or three thouſand Arms with ſeven or eight Field-Pieces; which, they knew, would be very welcome to the King, and ſerve for a beginning, and countenance to draw Forces together. The Captain was no ſooner put to Sea, but notice was ſent to the Commander of the Fleet in the *Downs*; who immediately ſent three or four Ships to the North, which eaſily got the Providence in View, before it could reach that Coaſt; and chaſed it with all their Sails, till they ſaw it enter into the River of *Humber*; when, looking upon it as their own, they made leſs haſte to follow it, being content to drive it before them into their own Port of *Hull*; there being, as they thought, no other way to eſcape them; until they plainly ſaw the Ship entring into a narrow Creek out of *Humber*, which declined *Hull*, and lead into the Country ſome Miles above it; which was a place well known to the Captain, and deſign'd by him to arrive at from the beginning. It was in vain for them then to haſten their purſuit; for they quickly found that their great Ships could not enter into that paſſage, and that the River was too ſhallow to follow him; and ſo with ſhame and anger, they gave over the Chaſe; whilſt the Captain continued his courſe; and having never thought of ſaving the Ship, run it on Shoar on that ſide towards *Burlington*; and, with all expedition, gave notice to the King of his arrival; who, immediately, cauſed the Perſons, of Quality, in the parts adjacent, to draw the Train'd-bands of the Country together, to ſecure the incurſions from *Hull*; and, by this means, the Arms, Ammunition, and Artillery, were quickly brought to *York*.

The King was well content that it ſhould be generally believed, that this ſmall Ship, the ſize whereof was known to few, had brought a greater quantity and proportion of Proviſions for the War, than in truth it had; and therefore tho' it had brought no Money, which he expected, he forthwith granted Commiſſions, to raiſe Regiments of Horſe and Foot, to ſuch Perſons of Quality and Intereſt, as were able to comply with their obligations. He declared the Earl of *Lindſey*, Lord High Chamberlain of *England*, his General of the Army; a Perſon of great Honour and Courage, and generally beloved; who many years before had good Commands in *Holland*, and *Germany*, and had been Admiral at Sea in ſeveral Expeditions. Sr. *Jacob Aſhley* was declared Major general of the Foot, a Command he was very equal to, and had exerciſed

exerciſed before, and executed after with great approbation. The Generalſhip of the Horſe, his Majeſty preſerved for his Nephew Prince *Rupert*; who was daily expected, and arrived ſoon after: And all Levies were haſten'd with as much expedition as was poſſible in ſo great a ſcarcity, and notorious want of Money; of which no more need be ſaid, after it is remember'd that all the Lords, and Council about the King, with ſeveral other Perſons of Quality, voluntarily made a Subſcription for the payment of ſo many Horſe for three months; in which time they would needs believe, that the War ſhould be at an end: every one paying down what the three Months pay would amount to, into the hands of a Treaſurer appointed to receive it; and this Money was preſently paid for the making thoſe Levies of Horſe, which were deſign'd; and which could not have been made but by thoſe Moneys.

And now the King thought it time to execute a Reſolution he had long intended, and which many Men wonder'd he neglected ſo long; which was, as much as in Him lay, to take the Admirality into his own hands. He had long too much cauſe to be unſatisfied, and diſpleaſed with the Earl of *Northumberland*; whom, he thought, he had obliged above any Man whatſoever. His delivering the Fleet into the hands and Command of the Earl of *Warwick*, after his Majeſty had expreſsly refuſed it to the Parliament, the King could not eaſily forgive; however, he thought it not Then ſeaſonable to reſent it, becauſe he had nothing to object againſt him, but his complyance with the Command of the Parliament, who would have own'd it as their own quarrel; and muſt have obliged that Earl to put his whole Intereſt into Their hands, and to have run Their Fortune; to which he was naturally too much inclined: And then his Majeſty foreſaw, that there would have been no Fleet at all ſet out that year, by their having the Command of all the Money, which was to be applied to that Service. Whereas, by his Majeſty's concealing his reſentment, there was a good Fleet made ready, and ſet out; and many Gentlemen ſettled in the Command of Ships, of whoſe Affection and Fidelity his Majeſty was aſſured, that no Superior Officer could corrupt it; but that they would, at all times, repair to his Service, when ever he required it. And, indeed, his Majeſty had an opinion of the devotion of the whole body of the Common Sea-men to his Service, becauſe he had, bountifully, ſo much mended their condition, and increaſed their Pay, that he thought they would have even thrown the Earl of *Warwick* over Board, when he ſhould Command them; and ſo the reſpiting the doing of it would be of little importance. But now, that a Ship of his own, in the execution of his Commands, ſhould be chaſed by his own Fleet as an Enemy, made ſuch a noiſe in all places, even to his reproach and diſhonour, that he could no longer defer the doing what he had ſo long thought of. He reſolved therefore, to revoke the Earl of *Northumberland*'s Commiſſion of the Office of High-Admiral of *England*, and to ſend the Revocation to him under the Great Seal of *England*: Then, to ſend Sr. *John Pennington*, who was then at *York*, on board the Fleet, and to take the Charge of it: and Letters were prepared, and ſign'd by the King, to every one of the Captains; whereby they were required, "to obſerve the Orders of Sr. *John Pennington*. And all this was carried with all poſſible Secrecy, that none, but thoſe few who were truſted, knew or ſuſpected any ſuch Alteration.

But the King thought fit, firſt to adviſe with Sr. *John Pennington*, of whoſe Integrity he was confident, and whoſe judgment he always principally relied on in all his Maritime Actions; and thought him the only Perſon fit immediately to take the Fleet out of the Earl of *Warwick*'s poſſeſſion; who had diſpoſſeſſed Him of the Command that year, which he had uſually exerciſed. Sr. *John Pennington*, finding the matter full of difficulty, and the execution like to meet with ſome interruptions, expreſſed no alacrity to undertake it in his own Perſon; alledging, "that himſelf ſtood in the Parlia-
"ments diſfavour, and jealouſy (which was true) and that therefore his mo-
"tion and journey toward the *Downs*, where the Fleet then lay, would be
"immediately taken notice off; and his Majeſty's Deſign be much gueſſed

" at, that there would need no other Diſcovery; but he propounded to his Majeſty, " that he would ſend a Letter to Sr. *Robert Manſel*, who lived at " *Greenwich*, ſpeedily to go to the Fleet, and to take charge of it, and that " his Authority, being Vice-Admiral of *England*, and his known and great " Reputation with the Sea-men, would be like to meet with the leaſt reſi- " ſtance. His Majeſty, imparting this Counſel to thoſe whom he had made Privy to his purpoſe, enter'd upon new conſiderations; and concluded, " that Sr. *Robert Manſel*'s age (tho' his Courage and Integrity were unqueſti- " onable) and the accidents that depended upon that, would render that Ex- " pedient moſt hazardous; and that, in truth, there needed no ſuch abſolute " and ſupreme Officer, to be appointed in the firſt Article; but rather, that " his Majeſty ſhould direct his ſpecial Letter to the Captain of every Ship, " requiring him immediately to weigh Anchor, and to bring away his " Ship to ſuch a place as his Majeſty might appoint, where he ſhould re- " ceive further Orders: And to that place he might ſend ſuch an Officer, as he " thought fit to truſt with the Command of the whole Navy ſo aſſembled. Ac- " cording to this Reſolution, the whole Diſpatch was prepared. Firſt a Revo- cation of the Earl of *Northumberland*'s Commiſſion of Admiral, under the Great Seal of *England*; of which there was a Duplicate; the one to be ſent to his Lord- ſhip; the other to the Earl of *Warwick*; whoſe Commiſſion was founded upon, and ſo determined by, the other. Then a particular Letter to each of the Captains of his Ships, informing them " of his Majeſty's Revocation of " the Admiral's Patent, and, conſequently, of the determination of the Earl of *Warwick*'s Commiſſion (to whom his Majeſty likewiſe writ, to " in- " hibit him from further medling in that Charge) and therefore commanding them to yield no further obedience to either of their Orders; but that, immediately upon the receipt of thoſe his Royal Letters, he ſhould weigh Anchor; and, with what ſpeed he might, repair to *Burlington*-Bay upon the Coaſt of *Yorkſhire*; where he ſhould receive his Majeſty's further pleaſure: And ſo each Commander, without relation to any other Commands, had no more to look after but his own Ship, and his own Duty; by which the King might expect, at leaſt, ſo many Ships as were under the Command of thoſe, who had any Affection or Fidelity to his Service.

Accordingly, all things being prepared, and ſigned by the King and ſeal- ed, what immediately concern'd the Earl of *Northumberland* was delivered to one of his Majeſty's Pages, to be given to the Earl of *Northumberland* at *Lon- don*; and the whole diſpatch to the Fleet to Mr. *Edward Villiers*, whoſe dili- gence and dexterity his Majeſty found fit for any Truſt; the former being directed " not to make ſuch haſt, but that the other might be at leaſt aſſoon " at the *Downs*, as He at *London*; and Mr. *Villiers* again being appointed what Letters he ſhould firſt deliver to the Captains; " and that he ſhould Viſit the " Earl of *Warwick* in the laſt place; that his Activity might have no influence " upon the Seamen to prevent their obedience to his Majeſty. And ſurely if this reſolution had been purſued, it is very probable, that the King had been Maſter of very many of his Ships again. But, when the Meſſengers were diſpatched, and well inſtructed, and he that was for *London* gone on his Journey, there was a ſuddain and unexpected change of the whole direction to the Fleet, by Sir *John Pennington*'s repair to his Majeſty; and, upon ſe- cond thoughts, offering " to go Himſelf to the *Downs*, and to take Charge " of the Fleet; which changed the Forms of the Letters to the ſeveral Cap- tains; and, inſtead of leaving every one to uſe his beſt expedition to bring away his own Ship to *Burlington*, " required them only to obſerve ſuch Or- " ders, as they ſhould receive by Sir *John Pennington*; who thought not fit (for the reaſons formerly given of his being taken notice of) to go with Mr. *Villiers*; but, by Him, writ to Sir *Henry Palmer*, to whom likewiſe his Majeſty ſent a Letter to that purpoſe, being an Officer of the Navy, and who lived by the *Downs*, " immediately to go aboard the Admiral; and that he Him- " ſelf would make all poſſible haſt to him, ſetting out at the ſame time with " Mr. *Villiers*, but Journeying a further and more private way. Mr. *Villiers*, leaſt

leaſt, by his ſtay for the alteration of his diſpatches, the Pages coming to *London* ſooner than was intended at his ſetting out, might produce ſome inconvenience to the ſervice, ſlept not till he came to Sir *Henry Palmer*; who, being infirm in his health, and ſurpriſed with the Command, could not make that expedition aboard, as might have been requiſite; tho' he was Loyally and Zealouſly affected to his Majeſty's Service. However, Mr. *Villiers* haſten'd to the Ships which lay then at Anchor, and, according to his Inſtructions, delivered his ſeveral Letters to the Captains; the greateſt part whereof received them with great expreſſions of duty and ſubmiſſion, expecting only to receive Sir *John Pennington*'s Orders, for which they ſtayed; and, without doubt, if either the firſt Letters had been ſent, or Sir *John Pennington* been preſent, when theſe others were delivered, his Majeſty had been poſſeſſed of the greateſt part of the Fleet; the Earl of *Warwick* being at that time, according to his uſual Licences, with ſome Officers whoſe company he liked, on ſhoar making merry; ſo that there was only his Vice-Admiral, Captain *Batten*, on board; who was of eminent diſaffection to his Majeſty: The Rear-Admiral, Sir *John Mennes*, being of unqueſtionable Integrity.

But after five or ſix hours (in which time nothing could be acted, for want of advice and direction; enough being ready to Obey, but none having Authority to Command) the Earl of *Warwick* came aboard his Ship, to whom Mr. *Villiers* likewiſe gave his Majeſty's Letters of his Diſcharge; who, without any Declaration of diſobeying it, applied himſelf to the confirming thoſe, whom he thought true to his Party, and diligently to watch the reſt; preſuming, that he ſhould ſpeedily hear from thoſe, by whom he had been originally truſted.

In the mean time, the Captains expected Orders from Sir *John Pennington*; who likewiſe privately expected ſuch an Account from Sir *Henry Palmer*, as might encourage him to come to the Ships. But this unfortunate delay diſappointed all: For the other Gentleman, according to his Inſtructions, having reached *London* in the evening after the Houſes were riſen, deliver'd the King's Letter, and the Diſcharge of his Commiſſion, to the Earl of *Northumberland*; who, with all ſhews of Duty and Submiſſion, expreſſed "his reſoluti- "on to obey his Majeſty; and a hearty ſorrow, that he had, by any Misfor- "tune, incurr'd his Majeſty's Diſpleaſure. How ingenuous ſoever this demeanour of his Lordſhips was, the buſineſs was quickly known to thoſe, who were more concern'd in it; who were exceedingly perplexed, with the apprehenſion of being diſpoſſeſſed of ſo great a part of their ſtrength, as the Royal Fleet; and earneſtly preſſed the Earl of *Northumberland*, "that, not- "withſtanding ſuch his Majeſty's Revocation, he would ſtill continue the "execution of his Office of Lord High Admiral; in which they would "aſſiſt him with their utmoſt and full Power, and Authority. But his Lordſhip alledging, "that it would ill become Him, who had received that "Charge from the King with ſo notable circumſtances of Truſt and Favour, "to continue the poſſeſſion thereof againſt his expreſs Pleaſure, there being "a Clauſe in his Grant, that it ſhould be only during ſuch time as his Ma- "jeſty thought fit to uſe his Service; and ſo "utterly refuſing to meddle "further in it; aſſoon as they could get the Houſes together the next morning, they eaſily agreed to paſs an Ordinance, as they call it, "to appoint "the Earl of *Warwick* to be Admiral of that Fleet, with as full and ample "Authority, as he had before had from the Earl of *Northumberland*. Which Ordinance, together with Letters, and Votes of encouragement to his Lordſhip and to the Officers and Sea-men, they ſpeedily ſent, by a Member of their own; who arrived therewith, the next Morning, after Mr. *Villiers* had deliver'd the King's Letters; Sir *John Pennington* in the mean time neither coming, nor ſending any further Advice.

The King revokes the Earl of Northumberland's *Commiſſion of Admiral.*

The Earl of *Warwick*, being thus arm'd, found himſelf Maſter of his Work; and immediately ſummon'd all the Captains, to attend him on board his Ship in Council; the which all but two did (Captain *Slingsby*, and Captain *Wake*) who, being by his Majeſty's Letters, as the reſt were, expreſsly charged to

yield no further obedience to the Earl of *Warwick*, refuſed to repair to him; making themſelves ready to reſiſt any violence, and putting their Ships in order to go out to Sea, that they might be at Liberty to attend his Majeſty's Commands; but they were ſo encompaſſed by the whole Fleet, and the dexterity of the Earl's Miniſters was ſuch, and the devotion, generally, of the Sea-men ſo tainted, and corrupted from the King's Service, that, inſtead of carrying away the Ships, the Captains themſelves were ſeiſed, taken, and carried by their own Men to the Earl; who immediately committed them to Cuſtody, and ſent them up Priſoners to the Parliament. Then the Earl communicated the Ordinance, Letters, and Votes from the two Houſes, to the reſt of the Officers; of whom only two more refuſed to continue their Charge againſt the ſignification, they had received from the King (Sir *John Mennes*, and Captain *Burly*) who were quickly diſcharged, and ſet on ſhore; and the reſt, without any ſcruple or heſitation, "obliged themſelves to obey the Earl of *Warwick*, in the Service of the Parliament; ſo that the Storm was now over, and the Parliament fully, and intirely poſſeſſed of the whole Royal Navy, and Militia by Sea; for they quickly diſpoſed of two other honeſt Captains, *Kettleby*, and *Stradlin* (whom they could not corrupt) who guarded the Iriſh Seas; and got thoſe Ships likewiſe into their Service. And thus his Majeſty was without one Ship of his own, in his three Kingdoms, at his Devotion.

As this loſs of the whole Navy was of unſpeakable ill conſequence to the King's Affairs, and made his condition much the leſs conſider'd by his Allies, and Neighbour Princes; who ſaw the Soveraignty of the Sea now in other hands, that were like to be more imperious upon the apprehenſion of any diſcourteſies, than regular and lawful Monarchs uſe to be; I cannot but obſerve ſome unhappy circumſtances, and accidents in this important buſineſs of the Navy, which looked like the hand of Providence to take that ſtrength, of which his Majeſty was moſt confident, out of his hands. When the reſolution of the Houſe of Commons, and the concurrence of the Lords was peremptory, and the Earl of *Northumberland* had declared his complyance with them, "for the ſending the Earl of *Warwick* Admiral of that Fleet, in the "place of Sir *John Pennington*, upon whom the King depended; it was reſolv-"ed likewiſe by them, "that Captain *Carteret*, Controller of his Majeſty's "Navy, a Man of great eminency, and reputation in Nayal Command, "ſhould be Vice-Admiral; who thinking it became his near relation to his Majeſty's Service, to receive his Royal pleaſure before he engaged himſelf in any imployment of that Nature, addreſſed himſelf for his directions. But the King, looking upon the Fleet in a manner taken from him, when another, whoſe diſaffection to his Service was very notorious, was, contrary to his expreſs pleaſure, preſumptuouſly put into the Command of it, and his own Miniſter diſplaced for no other reaſon (his ſufficiency and ability for Command being by all Men confeſſed) but his Zeal and Integrity to Him, would not countenance that Fleet, and that Admiral, with ſuffering an Officer of his own to Command in it under the other; and therefore order'd Captain *Carteret* to decline the imployment, which he, prudently, and without noiſe, did; and thereupon, another Officer of the Navy, the Surveyor General, Captain *Batten*, a Man of very different inclinations to his Maſter, and his Service, and furious in the new fancies of Religion, was ſubſtituted in the place: Whereas if Captain *Carteret* had been ſuffer'd to have taken that Charge, His intereſt and reputation in the Navy was ſo great, and his diligence and dexterity in Command ſo eminent, that it was generally believed, he would, againſt whatſoever the Earl of *Warwick* could have done, have preſerved a Major part of the Fleet in their duty to the King. The misfortunes which happen'd after, and are mention'd before, are not in juſtice to be imputed to Sir *John Pennington*; who, ſure, was a very honeſt Gentleman, and of unſhaken Faithfulneſs and Integrity to the King; but to the little time he had to think of it: And the perplexity he was in (beſides his true Zeal to the Service) to conſider that ſo great a work, as the recovery of the Royal Navy, was to be done by his own Perſonal engagement, made him look

look ſo little to his own ſecurity, that, inſtead of taking the Fleet from the Earl of *Warwick*, he was Himſelf taken by the Earl, and ſent to the Parliament; where the carrying over the Lord *Digby*, and ſome other Jealouſies, had left a greater arrear of diſpleaſure againſt him.

The truth is, the King was ſo confident upon the general Affections of the Sea-men, who were a Tribe of People more particularly countenanced and obliged by him, than other Men, his Majeſty having encreaſed their allowance, in Proviſion and Money, above the old eſtabliſhment of the Navy, as hath been mention'd; that he did believe no Activity of ill Officers could have corrupted them; but that, when the Parliament had ſet out and victualled the Fleet, it would, upon any occaſion, declare it ſelf at his devotion. But, on the other ſide, they had been taught to believe, that all the King's bounty, and grace towards them, had flowed from the mediation of thoſe Officers, who were now engaged againſt the King; and that, the Parliament having ſeiſed the Cuſtoms, and all other the Revenues of the Crown, they had no other hope of Pay or Subſiſtance, but by abſolutely devoting themſelves to their Service: ſo that a greater, or more general defection of any one Order of Men was never known, than that, at this time, of the Sea-men; tho' many Gentlemen, and ſome few of the Common ſort, to their laſting Honour and Reputation, either addreſſed themſelves to the Active Service of their Soveraign, or ſuffer'd Impriſonment, and the loſs of all they had, for refuſing to ſerve againſt him.

The News of this diminution of his Majeſty's power, and terrible addition of ſtrength to his Enemies, was a great allay to the brisk hopes at *York*, upon the arrival of their Ammunition; and wiſe Men eaſily diſcern'd the fatal conſequence of it in oppoſition to the King's moſt hopeful deſigns; yet, in a very ſhort time, all viſible ſenſe of it ſo much vaniſhed, that (as there was a marvellous alacrity, at that time, in deſpiſing all advantages of the Parliament) ſome Men publickly, and with great confidence, averr'd, "that "the King was a Gainer by the loſs of his Fleet; becauſe he had no Money "to pay the Sea-men, or keep them together; and that one Victory at Land, "of which there was no doubt, would reſtore him to his Dominion at Sea, "and to whatſoever had been unjuſtly taken from his Majeſty.

The King found it was now time to do more than write Declarations, when the Parliament was now intirely poſſeſſed of the Militia by Sea, and made ſuch a Progreſs in the attempt to obtain the ſame at Land, that tho' the People generally (except in great Towns and Corporations, where, beſides the natural Malignity, the factious Lecturers, and Emiſſaries from the Parliament, had poiſon'd their affections) and eſpecially thoſe of Quality, were Loyally inclin'd; yet, the terrour of the Houſe of Commons was ſo great, which ſent for and grievouſly puniſhed thoſe Sheriffs and Mayors, who publiſhed, according to their Dutys and expreſs Oaths, his Majeſty's Proclamation, and thoſe Miniſters, who, according to his Injunctions, read and divulged his Declarations, that all ſuch, and, indeed, all others eminently affected to the King, were forced to fly to *York* for Protection; or to hide themſelves in Corners from that Inquiſition, which was made for them. And therefore his Majeſty, in the firſt place, that he might have one Harbour to reſort to in his Kingdom, ſent the Earl of *New-Caſtle*, privately, with a Commiſſion to take the Government of *New-Caſtle*; who, againſt the little oppoſition, that was prepared by the Schiſmatical party in the Town, by his Lordſhips great Intereſt in thoſe parts, the ready complyance of the beſt of their Gentry, and the general good Inclinations of the place, ſpeedily and dextrouſly aſſured that moſt important rich Town, and Harbour to the King; which; if it had been omitted but very few days, had been ſeiſed on by the Parliament; who had then given direction to that purpoſe. Then for the Protection of the general parts of the Kingdom, and keeping up their affections, his Majeſty appointed and ſent many of the Nobility and prime Gentlemen of the ſeveral Counties, who attended him, into their reſpective Counties to execute the Commiſſion of Array; making the Marquis of *Hertford*, by Commiſſion under the Great Seal of *England* (which he was to keep

ſecret in reſerve, till he found, either by the growth, or extraordinary practice of the Parliament in raiſing Forces, that the Commiſſion of Array was not enough) " his Lieutenant General of all the Weſtern Parts of the King-" dom, with power to Levy ſuch a Body of Horſe and Foot, as he found ne-" ceſſary for his Majeſty's Service, and the containing the People within " the Limits of their duty. With the Marquis went the Earl of *Bath* (thought then to be in notable power and intereſt in *Devon-ſhire*) the Lord *Pawlet*, the Lord *Seymour*, Sir *Ralph Hopton*, Sir *John Berkley*, Sir *Hugh Pollard*, and others, very good Officers, to form an Array if it ſhould be found expedient. And ſo, much of the luſtre of the Court being abated, by the remove of ſo many Perſons of Honour and Quality, the King began to think of encreaſing, and forming his Train into a more uſeful poſture, than it was yet; and, without any noiſe of raiſing an Army, to make the Scene of his firſt Action to be the recovery of *Hull* (whither new Forces were ſent from *London*) by the ordinary Forces and Train'd-bands of that Country; by colour whereof, he hoped to have ſuch reſort, that he ſhould need no other induſtry to raiſe ſuch an Army, as ſhould be ſufficient to preſerve himſelf from the violence, which threaten'd his ſafety; and accordingly, that the People might fully underſtand his Intentions, he ſummon'd ſome of the Train'd-bands to attend him at *Beverly*, a Town within four Miles of *Hull*; whither he removed his Court, and publiſhed a Proclamation, briefly containing " the Rebellion of Sir *John Hotham*, in holding that Town by a Gar-" riſon againſt him; his demanding Juſtice from the two Houſes without " effect; the ſeiſing his Fleet at Sea; and the hoſtile Acts of Sir *John Hotham* " upon the Inhabitants of that Town, many of whom he turn'd out of their " Habitations; and upon the Neighbour County, by impriſoning many, and " driving others for fear from their Houſes: And therefore, that he was re-" ſolved to reduce the ſame by Force; inhibiting all Commerce of Traffick " with the ſaid Town, whilſt it continued in Rebellion.

The King's Proclamation from Beverly

Which Proclamation he likewiſe ſent to both Houſes of Parliament, with this further ſignification, " that, before he would uſe force to reduce that " place to it's due obedience, he had thought fit, once more, to require them, " that it might be forthwith delivered to him; wherein if they ſhould con-" form themſelves, his Majeſty would be then willing to admit ſuch Addreſſes " from them, and return ſuch Propoſitions to them, as might be proper to " ſettle the Peace of the Kingdom, and compoſe the preſent Diſtractions. " He wiſhed them to do their Duty, and to be aſſured from Him, on the " word of a King, that nothing ſhould be wanting on His part, that might " prevent the calamities which threaten'd the Nation, and might render his " People truly happy; but if that his gracious Invitation ſhould be declined, " God and all good Men muſt judge between them: And aſſign'd a Day, by " which he would expect their Anſwer at *Beverly*.

In the mean time, to encourage the good Affections of *Nottinghamſhire*, which ſeem'd almoſt intirely to be devoted to his Service; and to countenance and give ſome life to his friends in *Lincolnſhire*, where, in contempt of his Proclamation, the Ordinance of the Militia had been boldly executed by the Lord *Willoughby* of *Parham*, and ſome Members of the Houſe of Commons, his Majeſty took a ſhort Progreſs to *Newark*; and, after a days ſtay, from thence to *Lincoln*; and ſo, by the day appointed, return'd to *Beverly*; having, in both thoſe places, been attended with ſuch an appearance of the Gentlemen, and Men of Quality, and ſo full a concourſe of the People, as one might reaſonably have gueſſed, the affections of both thoſe Counties would have ſeconded any juſt, and regular ſervice for the King.

They at *London* were not leſs Active; but, upon their ſucceſs in the buſineſs of the Navy, proceeded to make themſelves ſtrong enough, at leaſt, to keep what they had; and therefore, having, by their Ordinance of the Militia, many voluntary Companies form'd of Men according to their own hearts; and, by their Subſcriptions, being ſupplied with a good ſtock of Money, and a good number of Horſe; before the King's meſſage from *Beverly* came to them, on the twelfth of *July*, being the ſame day the Meſſage went from the King,

King, both Houſes Voted, and Declared, " That an Army ſhould be forth- " with raiſed for the ſafety of the King's Perſon; defence of both Houſes of " Parliament, and of thoſe, who had obeyed their Orders, and Commands: " and preſerving of the true Religion, the Laws, Liberty, and Peace of the " Kingdom. That the Earl of *Eſſex* ſhould be their General, and that they " would live, and dye with him. And, having put themſelves into this po- ſture of Treating, the ſame day they agreed that a Petition ſhould be framed, " to move the King to a good accord with the Parliament, to prevent a Ci- " vil War; the which was purpoſely then conſented to, that the People might believe, the talk of an Army and a General, was only to draw the King to the more reaſonable Conceſſions. And it is certain the firſt was con- ſented to by many, eſpecially of the Houſe of Peers (in hope the better to compaſs the other) with the perfect horrour of the thought of a War. Tho' the King's Meſſage came to them before their own was diſpatched, yet, without the leaſt notice taken of it, and leaſt the contents of their Petition might be known before the arrival of their own Meſſengers, the Earl of *Holland*, Sir *John Holland*, and Sir *Philip Stapleton*, being the Committee ap- pointed for the ſame, made a ſpeedy and quick Journey for *Beverly*; and ar- rived, in the ſame minute that the King came thither from *Lincoln*: So that his Majeſty no ſooner heard of the raiſing an Army, and declaring a Ge- neral againſt him, but he was encounter'd with the Meſſengers for Peace; who reported to all whom they met, and with whom they converſed, " that " they had brought ſo abſolute a Submiſſion from the Parliament to the King, " that there could be no doubt of a firm and happy Peace: And when the Earl of *Holland* preſented the Petition, he firſt made a ſhort Speech to the King; telling him, " that the glorious Motto of his Bleſſed Father, King " *James*, was *Beati Pacifici*, which he hoped his Majeſty would continue; " that they preſented him with the Humble Duty of his two Houſes of " Parliament, who deſired nothing from him but his conſent, and acceptance " of Peace; they aiming at nothing but his Majeſty's Honour, and Happi- " neſs: And then read their Meſſage aloud, in theſe Words:

The Votes of both Houſes for raiſing an Army.

" *To the Kings moſt excellent Majeſty; The humble Petition of the Lords and* " *Commons aſſembled in Parliament.*

The Parliaments Petition to the King at Beverly, July 15. 1642

" May it pleaſe your Majeſty:

" Altho' We, your Majeſty's moſt humble and faithful Subjects, the Lords " and Commons in Parliament aſſembled, have been very unhappy in ma- " ny former Petitions, and Supplications to your Majeſty; wherein we " have repreſented our moſt dutiful Affections in adviſing, and deſiring " thoſe things, which we held moſt neceſſary for the preſervation of God's " true Religion; your Majeſty's Safety, and Honour; and the Peace of " the Kingdom: And, with much ſorrow, do perceive that your Maje- " ſty, incenſed by many falſe Calumnies and Slanders, doth continue to " raiſe Forces againſt Us, and your other peaceable and Loyal Subjects; " and to make great preparations for War, both in the Kingdom, and " from beyond the Seas; and, by arms and violence, to over rule the " judgment and advice of your Great Council; and by force to determine " the Queſtions there depending, concerning the Government and Liber- " ty of the Kingdom: Yet, ſuch is our earneſt deſire of diſcharging our " duty to your Majeſty and the Kingdom, to preſerve the Peace thereof, " and to prevent the miſeries of Civil War amongſt your Subjects; that, " notwithſtanding we hold our ſelves bound to uſe all the means and " power, which, by the Laws and conſtitutions of this Kingdom, we are " truſted with for defence, and protection thereof, and of the Subjects " from force and violence: We do, in this our Humble and Loyal Petiti- " on, proſtrate our ſelves at your Majeſty's feet; beſeeching your Royal " Majeſty, that you will be pleaſed to forbear and remove all preparations, " and actions of War; particularly the Forces from about *Hull*, from *New-* " *Caſtle*, *Tinmouth*, *Lincoln*, and *Lincoln-ſhire*; and all other places. And

" that your Majeſty will recal the Commiſſions of Array, which are Il-
" legal; diſmiſs Troops, extraordinary Guards by you raiſed: That your
" Majeſty will come nearer to your Parliament, and hearken to their
" faithful Advices and humble Petitions; which ſhall only tend to the de-
" fence, and advancement of Religion; your own Royal Honour, and
" Safety; and the preſervation of our Laws and Liberties. And we have
" been, and ever ſhall be careful to prevent, and puniſh all Tumults, and
" ſeditious Actions, Speeches, and Writings, which may give your Maje-
" ſty juſt cauſe of diſtaſt, or apprehenſion of danger. From which pub-
" lick Aimes and Reſolutions, no ſiniſter or private reſpect ſhall ever
" make us to decline. That your Majeſty will leave Delinquents to the
" due courſe of Juſtice; and that nothing done, or ſpoken in Parliament,
" or by any Perſon, in purſuance of the Command and Direction of both
" Houſes of Parliament, be queſtion'd any where but in Parliament.
" And We, for Our parts, ſhall be ready to lay down all thoſe Preparations,
" which we have been forced to make for our defence. And for the Town
" of *Hull*, and the Ordinance concerning the Militia, as we have, in both
" theſe Particulars, only ſought the preſervation of the Peace of the
" Kingdom, and the defence of the Parliament from force and violence;
" ſo We ſhall moſt willingly leave the Town of *Hull* in the ſtate it was,
" before Sir *John Hotham* drew any Forces into it; delivering your Maje-
" ſty's Magazine into the Tower of *London*, and ſupplying whatſoever hath
" been diſpoſed by us for the Service of the Kingdom. We ſhall be ready
" to ſettle the Militia by a Bill, in ſuch a way as ſhall be honourable, and
" ſafe for your Majeſty; moſt agreeable to the Duty of Parliament, and
" effectual for the Good of the Kingdom; that the ſtrength thereof be not
" imployed againſt it ſelf, and that which ought to be for our Security, ap-
" plied to our Deſtruction; and that the Parliament, and thoſe who pro-
" feſs, and deſire ſtill to preſerve the Proteſtant Religion, both in this
" Realm, and in *Ireland*, may not be left naked, and indefenſible to the miſ-
" chievous Deſigns, and cruel Attempts of thoſe, who are the profeſſed
" and confederated Enemies thereof in your Majeſty's Dominions, and
" other neighbour Nations. To which if your Majeſty's Courſes and
" Councels ſhall from henceforth concur, We doubt not but we ſhall quick-
" ly make it appear to the world, by the moſt eminent effects of Love
" and Duty, that your Majeſty's Perſonal Safety, your Royal Honour, and
" Greatneſs, are much dearer to us than our own Lives and Fortunes;
" which We do moſt heartily dedicate, and ſhall moſt willingly imploy for
" the ſupport, and maintenance thereof.

Aſſoon as this Petition was read by the the Earl of *Holland*, the King told them, " that the reproaches caſt upon him by it, were not anſwerable to
" the Expreſſions his Lordſhip had made; and that he was ſorry that they
" thought the expoſing Him, and his Honour to ſo much ſcandal, was the
" way to procure, or preſerve the Peace of the Kingdom: That they
" ſhould ſpeedily receive his anſwer; by which the world would eaſily diſ-
" cern, Who deſired Peace moſt. And accordingly, the ſecond day, his Majeſty delivered them, in publick, his Anſwer to their Petition, which was likewiſe read by one of his Servants, in theſe Words:

His Majeſty's Anſwer.

" *His Majeſty's Anſwer to the Petition of the Lords and Commons aſſem-*
" *bled in Parliament.*

" Tho' his Majeſty had no great reaſon to believe that the directions ſent
" to the Earl of *Warwick*, to go to the River *Humber*, with as many Ships
" as he ſhould think fit, for all poſſible aſſiſtance to Sir *John Hotham* (whilſt
" his Majeſty expected the giving up of the Town unto him) and to carry
" away ſuch Arms from thence, as his diſcretion thought fit to ſpare out of
" his Majeſty's own Magazine: The chooſing a General by both Houſes of
" Parliament, for the defence of thoſe who have obeyed their Orders and
" Commands

" Commands, be they never ſo extravagant, and illegal: Their Declarati-
" on, that, in that caſe, they would live and dye with the Earl of *Eſſex* their
" General (all which were Voted the ſame day with this Petition) And the
" committing the Lord Mayor of *London* to Priſon, for executing his Maje-
" ſty's Writs, and Lawful Commands; were but ill Prologues to a Petition,
" which might compoſe the miſerable Diſtractions of the Kingdom; yet his
" Majeſty's paſſionate deſire of the Peace of the Kingdom, together with
" the Preface of the Preſenters, That they had brought a Petition full of
" duty and ſubmiſſion to his Majeſty; and which deſired nothing of him,
" but his conſent to Peace (which his Majeſty conceived to be the Language
" of both Houſes too) begot a greedy hope, and expectation in him, that
" this Petition would have been ſuch an Introduction to Peace, that it would,
" at leaſt, have ſatisfied his Meſſage of the eleventh of this Month, by
" delivering up *Hull* unto his Majeſty. But, to his unſpeakable grief, his
" Majeſty hath too much cauſe to believe, that the End of ſome Perſons, by
" this Petition, is not in truth to give any real ſatisfaction to his Majeſty;
" but, by the ſpecious pretences of making offers to him, to miſlead and ſeduce
" his People, and lay ſome imputations upon him of denying what is fit
" to be granted; otherwiſe, it would not have thrown thoſe unjuſt reproach-
" es, and ſcandals upon his Majeſty, for making a neceſſary and juſt defence
" for his own Safety; and ſo peremptorily juſtified ſuch Actions againſt him,
" as by no rule of Law or Juſtice can admit the leaſt colour of defence:
" And, after ſo many free and unlimited Acts of Grace paſſed by his Ma-
" jeſty without any condition, have propoſed ſuch things which, in juſtice,
" cannot be denied unto him, upon ſuch conditions as, in honour, he can-
" not grant. However, that all the world may ſee how willing his Majeſty
" would be to embrace any overture, that might beget a right underſtand-
" ing between Him, and his two Houſes of Parliament (with whom, he is
" ſure, he ſhall have no contention, when the private practices, and ſubtle
" inſinuations of ſome few Malignant Perſons ſhall be diſcovered; which his
" Majeſty will take care ſhall be ſpeedily done) he hath, with great care,
" weighed the Particulars of this Petition, and returns this Anſwer:

" That the Petitioners were never unhappy in their Petitions or Suppli-
" cations to his Majeſty, while they deſired any thing which was neceſſary,
" or convenient for the preſervation of God's true Religion; his Majeſty's
" Safety, and Honour; and the Peace of the Kingdom: And therefore,
" when thoſe general envious Foundations are laid, his Majeſty could wiſh
" ſome particular Inſtances had been applied. Let Envy and Malice object
" one particular Propoſition for the preſervation of God's true Religion,
" which his Majeſty hath refuſed to conſent to; what Himſelf hath often
" made, for the eaſe of tender Conſciences, and for the advancement of the
" Proteſtant Religion, is notorious by many of his Meſſages and Declarati-
" ons. What regard hath been to his Honour and Safety, when he hath
" been driven from ſome of his Houſes, and kept from other of his Towns
" by Force: And what care there hath been of the Peace of the Kingdom,
" when endeavours have been uſed to put all his Subjects in Armes againſt
" him, is ſo evident, that his Majeſty is confident, he cannot ſuffer by thoſe
" general Imputations. It is enough that the world knows what he hath gran-
" ted, and what he hath denied.

" For his Majeſty's raiſing Forces, and making Preparations for War
" (whatſoever the Petitioners, by the evil Arts of the Enemies to his Ma-
" jeſty's Perſon and Government, and by the calumnies, and ſlanders raiſed
" againſt his Majeſty by them, are induced to believe) all Men may know
" what is done that way, is but in order to his own defence. Let the Peti-
" tioners remember, that (which all the world knows) his Majeſty was
" driven from his Palace of *White-Hall*, for ſafety of his Life: That both
" Houſes of Parliament, upon their own Authority, raiſed a Guard to them-
" ſelves (having gotten the Command of all the Train'd-bands of *London* to
" that purpoſe) without the leaſt colour, or ſhadow of danger: That they
" uſurped a power, by their pretended Ordinance, againſt all Principles and
" Elements of Law, over the whole Militia of the Kingdom, without, and

" againſt his Majeſty's conſent: That they took poſſeſſion of his Town, Fort,
" and Magazine of *Hull*, and committed the ſame to Sir *John Hotham*; who
" ſhut the Gates againſt his Majeſty, and, by Force of Arms, denied entrance
" thither to his own Perſon: That they juſtified this Act which they had not
" directed; and took Sir *John Hotham* into their protection for whatſoever
" he had done, or ſhould do, againſt his Majeſty. And all this, whilſt his
" Majeſty had no other Attendance than his own Menial Servants. Upon
" this, the Duty, and Affection of this County, prompted his Subjects here
" to provide a ſmall Guard for his own Perſon; which was no ſooner done,
" but a Vote ſuddainly paſſed of his Majeſty's intention to levy War againſt
" his Parliament (which God knows, his heart abhorreth) and notwith-
" ſtanding all his Majeſty's Profeſſions, Declarations, and Proteſtations to the
" contrary, ſeconded by the clear Teſtimony of ſo great a Number of Peers
" upon the place, Propoſitions and Orders for Levies of Men, Horſe, and
" Arms, were ſent throughout the Kingdom; Plate and Money brought in,
" and received; Horſes and Men raiſed towards an Army, Muſtered, and
" under Command; and all this contrary to the Law, and to his Majeſty's Pro-
" clamation: and a Declaration Publiſhed, that if he ſhould uſe Force for
" the recovery of *Hull*, or ſuppreſſing the pretended Ordinance for the Mili-
" tia, it ſhould be held levying War againſt the Parliament: And all this
" done, before his Majeſty granted any Commiſſion for the levying, or
" raiſing a Man. His Majeſty's Ships were taken from him, and committed
" to the cuſtody of the Earl of *Warwick*; who preſumes under that power,
" to uſurp to himſelf the Soveraignty of the Sea, to chaſe, fright, and im-
" priſon ſuch of his Majeſty's good Subjects, as deſire to obey his Lawful
" Commands; altho' he had notice of the legal Revocation of the Earl of
" *Northumberland*'s Commiſſion of Admiral, whereby all power derived from
" that Commiſſion ceaſed.

" Let all the world now judge who begun this War, and upon whoſe ac-
" count the miſeries, which may follow, muſt be caſt; what his Majeſty
" could have done leſs than he hath done; and whether he were not com-
" pelled to make proviſion, both for the defence of himſelf, and recovery of
" what is ſo violently, and injuriouſly taken from him; and whether theſe
" injuries, and indignities, are not juſt grounds for his Majeſty's Fears and
" apprehenſions of further miſchief, and danger to him. Whence the
" fears and jealouſies of the Petitioners have proceeded, hath never been diſ-
" covered; the dangers they have brought upon his Subjects are too evident;
" what thoſe are they have prevented, no Man knows. And therefore his
" Majeſty cannot but look upon that Charge as the boldeſt, and the moſt
" ſcandalous, hath been yet laid upon him; That this neceſſary proviſion, made
" for his own ſafety and defence, is to over rule the Judgment and Advice
" of his Great Council; and by force to determine the Queſtions there de-
" pending, concerning the Government and Liberty of the Kingdom. If no
" other force had been raiſed to determine thoſe Queſtions, than by his
" Majeſty, this unhappy miſunderſtanding had not been: And his Majeſty
" no longer deſires the bleſſing, and protection of Almighty God upon Him-
" ſelf and his Poſterity, than He, and They, ſhall ſolemnly obſerve the due
" execution of the Laws, in the defence of Parliaments, and the juſt Free-
" dom thereof.

" For the Forces about *Hull*, his Majeſty will remove them, when he hath
" obtain'd the End for which they were brought thither. When *Hull* ſhall
" be again reduced to his ſubjection, he will no longer have an Army before it.
" And when he ſhall be aſſured, that the ſame Neceſſity and pretence of
" Publick Good, which took *Hull* from him, may not put a Garriſon into
" *New-Caſtle* to keep the ſame againſt him, he will remove His from thence,
" and from *Tinmouth*; till when, the example of *Hull* will not out of his
" memory.

" For the Commiſſions of Array, which are legal, and are ſo proved by
" a Declaration now in the Preſs, his Majeſty wonders why they ſhould,
" at this time, be thought grievous, and fit to be recalled; if the fears of In-
" vaſion and Rebellion be ſo great, that, by an illegal pretended Ordinance,

" it

" it is neceſſary to put his Subjects into a poſture of defence, to Array, " Train, and Muſter them, he knows not why the ſame ſhould not be done " in a regular known, lawful way. But if, in the execution of that Com- " miſſion, any thing ſhall be unlawfully impoſed upon his good Subjects, his " Majeſty will take all juſt, and neceſſary care for their redreſs.

" For his Majeſty's coming nearer to his Parliament, his Majeſty hath ex- " preſſed himſelf ſo fully in ſeveral Meſſages, Anſwers, and Declarations; " and ſo particularly avowed a real fear for his ſafety, upon ſuch inſtances " as cannot be Anſwer'd, that he hath reaſon to take himſelf ſomewhat neg- " lected. That, ſince upon ſo manifeſt reaſons it is not ſafe for his Majeſty " to come to them, both his Houſes of Parliament will not come nearer " to his Majeſty; or to ſuch a place where the freedom, and dignity of Par- " liament might be preſerved. However, his Majeſty ſhall be very glad to " hear of ſome ſuch example in their puniſhing the Tumults (which he knows " not how to expect, when they have declared, That they knew not of any " Tumults; tho' the Houſe of Peers deſired, both for the freedom and dig- " nity of Parliament, that the Houſe of Commons would joyn with them " in a Declaration againſt Tumults; which they refuſed, that is, neglected " to do) and other ſeditious Actions, Speeches, and Writings, as may take " that apprehenſion of danger from him; tho', when he remembers the " particular complaints Himſelf hath made of buſineſſes of that nature, and " that, inſtead of inquiring out the Authors, neglect of examination " hath been, when offer hath been made to both Houſes to produce the " Authors; as in that Treaſonable Paper concerning the Militia: And when " he ſees every day Pamphlets publiſhed againſt his Crown, and againſt Mo- " narchy it ſelf; as the Obſervations upon his late Meſſages, Declarations, " and Expreſſes; and ſome Declarations of their own, which give too great " encouragement, in that Argument, to ill Affected Perſons; his Majeſty " cannot, with confidence, entertain thoſe Hopes which would be moſt wel- " come to him.

" For the leaving Delinquents to the due courſe of Juſtice, his Majeſty is " moſt aſſured there hath been no ſhelter to any ſuch. If the tediouſneſs and " delay in proſecution, the vaſt charge in Officer's fees, the keeping Men " under a General accuſation, without Trial a whole year and more, and " ſo allowing them no way for their defence and vindication, hath frighten'd " Men away from ſo chargeable and uncertain attendance, the Remedy " is beſt provided, where the Diſeaſe grew. If the Law be the meaſure of " Delinquency, none Such are within his Majeſty's Protection: But if by " Delinquents ſuch are underſtood, who are made ſo by Vote, without any " Treſpaſs upon any known, or eſtabliſhed Law: If by Delinquents thoſe " nine Lords are underſtood, who are made Delinquents for obeying his " Majeſty's Summons to come to him, after their ſtay there was neither " ſafe, nor honourable, by reaſon of the Tumults, and other Violences; " and whoſe Impeachment, he is confident, is the greateſt breach of Privi- " ledge, that, before this Parliament, was ever offer'd to the Houſe of Peers: " If by Delinquents ſuch are underſtood, who refuſe to ſubmit to the pre- " tended Ordinance of the Militia; to that of the Navy; or to any other, " which his Majeſty hath not conſented to; ſuch who for the Peace of the " Kingdom, in an humble manner, prepare Petitions to Him, or to both " Houſes, as his good Subjects of *London* and *Kent* did; whilſt ſeditious ones, " as that of *Eſſex*, and other places, are allowed, and cheriſhed: If by " Delinquents ſuch are underſtood, who are called ſo for publiſhing his Pro- " clamations, as the Lord Mayor of *London*; or for reading his Meſſages " and Declarations, as divers Miniſters about *London* and elſewhere; when " thoſe againſt him are diſperſed, with all care and induſtry, to poiſon and " corrupt the Loyalty and Affection of his People: If by Delinquents ſuch " are underſtood, who have, or ſhall lend his Majeſty Money, in the Uni- " verſities, or in any other places: His Majeſty declares to all the world, " That he will protect Such with his utmoſt power and ſtrength; and di- " rects, that, in theſe caſes, they ſubmit not to any Meſſengers, or Warrant; " being no leſs his Duty to Protect thoſe who are Innocent, than to bring

" the Guilty to condign Puniſhment; of both which the Law is to be judge.
" And if both Houſes do think fit to make a General, and to raiſe an Army
" for defence of thoſe who obey their Orders, and Commands, his Majeſty
" muſt not ſit ſtill, and ſuffer ſuch who ſubmit to his juſt power, and are ſol-
" licitous for the Laws of the Land, to periſh, and be undone, becauſe they
" are called Delinquents. And when They ſhall take upon them to diſpence
" with the attendance of thoſe, who are called by his Majeſty's Writ, whilſt
" they ſend them to Sea, to rob his Majeſty of his Ships; or into the ſeveral
" Counties, to put his Subjects in Armes againſt him; his Majeſty (who On-
" ly hath it) will not loſe the power to diſpence with them to attend his
" own Perſon; or to execute ſuch Offices, as are neceſſary for the preſervation
" of Himſelf, and the Kingdom; but muſt protect them, tho' they are called
" Delinquents.

" For the Manner of the proceeding againſt Delinquents, his Majeſty
" will proceed againſt thoſe, who have no Priviledge of Parliament, or in
" ſuch caſes where no Priviledge is to be allowed, as he ſhall be adviſed by his
" Learned Council, and according to the known, and unqueſtionable Rules
" of the Law; it being unreaſonable, that he ſhould be compelled to proceed
" againſt thoſe, who have violated the known and undoubted Law, only be-
" fore Them who have directed ſuch violation.

" Having ſaid thus much to the Particulars of the Petition, tho' his Ma-
" jeſty hath reaſon to complain, that, ſince the ſending this Petition, they
" have beaten their Drums for Soldiers againſt him; Arm'd their own Ge-
" neral with a power deſtructive to the Law, and Liberty of the Subjects;
" and choſen a General of their Horſe: His Majeſty, out of his Princely
" love, tenderneſs, and compaſſion of his People, and deſire to preſerve
" the Peace of the Kingdom, that the whole force and ſtrength of it may be
" united for the defence of it ſelf, and the relief of *Ireland* (in whoſe behalf
" he conjures both his Houſes of Parliament, as they will anſwer the con-
" trary to Allmighty God, his Majeſty, to thoſe who truſt them, and to that
" bleeding miſerable Kingdom, that they ſuffer not any Moneys granted,
" and collected by Act of Parliament, to be diverted or employed againſt his
" Majeſty; whilſt his Soldiers in that Kingdom are ready to mutiny, or
" periſh for want of pay; and the barbarous Rebels prevail by that en-
" couragement) is graciouſly pleaſed, once more, to propoſe and re-
" quire.

" That His Town of *Hull* be immediately deliver'd up to him: Which be-
" ing done (tho' his Majeſty hath been provoked by unheard of Inſolences of
" Sir *John Hotham*'s, ſince his burning and drowning the Country, in ſeiſing
" his Wine, and other proviſions for his Houſe, and ſcornfully uſing his
" Servant, whom he ſent to require them; ſaying, it came to him by Pro-
" vidence, and he will keep it; and ſo refuſing to deliver it, with threats
" if He, or any other of his fellow Servants, ſhould again repair to *Hull*
" about it; and in taking and detaining Priſoners, divers Gentlemen, and
" others, in their paſſage over the *Humber* into *Lincolnſhire* about their neceſ-
" ſary occaſions; and ſuch other indignities, as all Gentlemen muſt reſent in
" his Majeſty's behalf) his Majeſty to ſhew his earneſt deſire of Peace, for
" which he will diſpence with his own Honour, and how far he is from de-
" ſire of Revenge, will grant a free, and general Pardon to all Perſons within
" that Town.

" That his Majeſty's Magazine, taken from *Hull*, be forthwith put into ſuch
" hands, as He ſhall appoint.

" That his Navy be forthwith deliver'd into ſuch hands, as he hath directed
" for the Government thereof: The detaining thereof after his Majeſty's Di-
" rections, publiſhed and received, to the contrary; and imploying his Ships
" againſt him in ſuch a manner, as they are now uſed, being notorious High-
" Treaſon in the Commanders of thoſe Ships.

" That all Armes, Levies, and Proviſions for a War, made by the conſent
" of both Houſes (by whoſe Example his Majeſty hath been forced to make
" ſome Preparations) be immediately laid down; and the pretended Ordi-
" nance for the Militia, and all power of impoſing Laws upon the Subject
" without

" without his Majeſty's conſent, be diſavowed; without which, the ſame " Pretence will remain to produce the ſame Miſchief. All which his Majeſty " may as lawfully demand as to live, and can with no more juſtice be denied " him, than his Life may be taken from him.

" Theſe being done, and the Parliament adjourn'd to a ſafe and ſecure place, " his Majeſty promiſes, in the preſence of God, and binds himſelf by all his " Confidence and Aſſurance in the Affection of his People, that he will in- " ſtantly, and moſt chearfully, lay down all the Force he ſhall have raiſed, " and diſcharge all his future and intended Levies; that there may be a gene- " neral face of Peace over the whole Kingdom; and will repair to them: " And deſires, that all Differences may be freely debated in a Parliamentary " way; whereby the Law may recover it's due reverence, the Subject his " juſt Liberty, and Parliaments themſelves their full Vigour and Eſtimation; " and ſo the whole Kingdom a bleſſed Peace, Quiet, and Proſperity.

" If theſe Propoſitions ſhall be rejected, his Majeſty doubts not of the Pro- " tection and Aſſiſtance of Allmighty God, and the ready Concurrence of " his good Subjects; who can have no hope left them of enjoying their " own long, if their King may be oppreſſed, and ſpoiled, and muſt be " remedileſs. And tho' his Towns, his Ships, his Armes, and his Money, " be gotten, and taken from him, he hath a Good Cauſe left, and the Hearts " of his People; which, with God's bleſſing, he doubts not, will recover all " the reſt.

" Laſtly, if the preſervation of the Proteſtant Religion, the defence of " the Liberty and Laws of the Kingdom, the dignity and freedom of Par- " liament; and the recovery, and the relief of bleeding and miſerable *Ire-* " *land*, be equally precious to the Petitioners, as they are to his Maje- " ſty (who will have no quarrel but in defence of theſe) there will be a " chearful, and ſpeedy conſent to what his Majeſty hath now propoſed, " and deſired: And of this his Majeſty expects a full and poſitive Anſwer, " by *Wedneſday*, the 27th of this inſtant *July*; till when, he ſhall not make " any Attempt of force upon *Hull*, hoping in the Affection, Duty, and " Loyalty of the Petitioners: And, in the mean time, expects that no ſup- " ply of Men be put into *Hull*; nor any of his Majeſty's Goods taken from " thence.

The whole Court, upon the hearing that Petition from the two Houſes read, expreſſed a marvellous Indignation at the intolerable Indignities offer'd to the King by it; and ſeem'd no better ſatisfied with the Meſſengers; who had profeſſed, " that they brought an abſolute ſubmiſſion to his Majeſty; when, in truth, what they brought, appeared to be a full Juſtification of whatſoever they had done before, and an implied Threat of doing worſe, and fixing all the ſcandals upon his Majeſty, which they had ſcatter'd abroad before: inſomuch that all Men expected, and believed his Majeſty to be engaged, for the vindication of his Princely dignity and honour, to return a much ſharper Anſwer to them, than he had ever ſent. So that, when this which is before ſet down (and which had before been conſented to, and approved in the full Aſſembly of the Peers, and Counſellors) was read publickly, it was generally thought, that the King had not enough reſented the Inſolence, and Uſurpation of the Parliament; or appear'd ſenſible enough of the Provocations: Yet the thought of a War, which wiſe Men ſaw actually levied upon the King already, was ſo much abhorred, and Men were ſo credulous of every Expedient which was pretended for Peace, that, by the next morning (the Anſwer being deliver'd in the Evening) theſe active Meſſengers for the Parliament perſwaded many, " that the King's Anſwer was too " ſharp, and would provoke the Houſes, who were naturally paſſionate, to " proceed in the high-ways they were in; whereas, if the King would abate " that ſeverity of Language, and would yet take off the Preamble of his An- " ſwer, they were confident, and the Earl of *Holland* privately offer'd to un- " dertake, that ſatisfaction ſhould be given to all that his Majeſty propoſed. And, by this means, ſome were ſo far wrought upon, as they earneſtly importuned the King, " that he would take his Anſwer, which he had pub- " lickly delivered the night before, from the Meſſengers; and, inſtead

" thereof, return only the Matter of his own Propoſitions, in the moſt ſoft " and gentle Language; without the Preamble, or any mention of the unju- " ſtifiable, and unreaſonable demeanour of the Parliament towards him.

But his Majeſty replied, " that he had for a long time, even after great " provocations, and their firſt general Remonſtrance to the People, treated " with all imaginable compliance, and lenity of words with them; and " diſcover'd their unjuſtifiable and extravagant proceedings with, and againſt " him, and the conſequences that would inevitably attend their Progreſs in " them, with ſuch tender expreſſions, as if he believed whatever was amiſs " to proceed from miſinformation only, and unskilful miſtakes: That this " gentleneſs, and regard of his, was ſo far from operating upon them, that " their Inſolence, and Irregularities increaſed; and it might be from that " reaſon, that their Meſſages and Declarations were writ in ſo high a Dia- " lect, and with that Soveraignty of Language, as if He were ſubject to Their " juriſdiction; and did not know but it might have ſome influence upon " his People to his diſadvantage, that is, raiſe terrour towards Them, and " leſſen their reverence towards his Majeſty, when all their Petitions and " Propoſitions were more Imperative than His juſt, and neceſſary Refuſals: " Which condeſcenſion his Majeſty had brought himſelf to, in hope, that " His example, and Their natural ſhame, would have reform'd their new Li- " cence of words: That this laſt Addreſs, under the name of a Petition (a few " days after they had violently raviſhed his whole Fleet from him; and prepa- " red the ſame day, that they had choſen a General, to whom they had ſworn " Allegiance, to lead an Army againſt him) contained a peremptory Juſtifi- " cation of whatſoever they had done; and as peremptory a Threatning of " whatſoever they could do: and therefore, if he ſhould Now retract his " Anſwer, which had been ſolemnly conſider'd in Council, before all the " Peers, and which in truth implied rather a Princely reſentment of the In- " dignities offer'd to him, than flow'd with any ſharp or bitter Expreſſions, " he ſhould, by ſuch yielding, give encouragement to New attempts; and " could not but much diſcourage thoſe, upon whoſe Affections and Loy- " alty he was principally to depend; who could not think it ſafe to raiſe them- " ſelves to an indignation on his behalf, when He expreſſed ſo tender, or ſo " little ſenſe of his own ſufferings: beſides, that he was then upon an avowed " Hoſtile enterpriſe for the reduction of *Hull*; towards which he was to " uſe all poſſible means to draw a Force together, equal to that Deſign; " and by ſuch a Retraction as this propoſed, and a ſeeming declenſion of his " Spirit, and depending upon Their good natures, who had done all this " miſchief, he ſhould not only be inevitably diſappointed of the reſort of " new ſtrength, but, probably, deſerted by thoſe few, whom he had brought " together: That he could not reaſonably, or excuſably depend upon the " undertaking of the Earl of *Holland*; who had ſo groſly deceived him in " other undertakings, which were immediately in his own power to have " perform'd: whereas neither he, nor either of the other two Gentlemen, " who were joyn'd with him in this imployment, had ſo much intereſt with " the Active and Prevailing Party, as to know more of their Intentions than " was at preſent neceſſary to be diſcover'd for their Concurrence.

" "He ſaid, that he had never yet conſented to any one Particular, ſince " the beginning of this Parliament, by which he had received prejudice, " at the doing whereof he had not the ſolemn undertakings and promiſes " of thoſe, who were much abler to juſtify their undertakings, than the Earl " of *Holland*; and upon whom he only depended, that it ſhould be no diſ- " ſervice to him, and would be an infallible means to compaſs all that his " Majeſty deſired: But he had allways found thoſe Promiſers and Under- " takers, tho' they could eminently carry on any Counſel, or Concluſion, " that was againſt Law, Juſtice, or His Right, had never power to " reduce, or reſtrain thoſe agitations within any bounds of Sobriety, and " moderation: And when they found, that many would not be guided " by them, that they might ſeem ſtill to Lead, themſelves as furiouſly Fol- " lowed the other; and reſorted again to his Majeſty with ſome new Ex- " pedient, as deſtructive as the former. So that he was reſolved to rely " upon God Allmighty, and not ſo much to depend upon what might poſ-

" ſibly

" ſibly prevail upon the Affections of thoſe, from whom, reaſonably, he " could not expect any good, as upon ſuch plain and avow'd courſes, as, " let the ſucceſs be what it would, muſt, to all judging Men, appear to " be prudently, and honourably relied on: And therefore he poſitively re- " fuſed to make the leaſt alteration in his Anſwer: And ſo the Meſſengers departed, leaving the Court and Country worſe affected, than they found it; and branding ſome particular Perſons, whom they found leſs inclined to be ruled by their profeſſions and promiſes, " as the Authors of a Civil War: And making them as odious as they could, where ever they came.

And ſure, from that time, the Earl of *Holland* was more tranſported from his natural temper and gentleneſs of diſpoſition, into paſſion and animoſity againſt the King, and his Miniſters; and, having been nothing pleaſed with his own condition at *London*, finding the Earl of *Eſſex* (whom he did not ſecretly love, and did indeed contemn) to draw all Men's Eyes towards him, and to have the greateſt Intereſt in their hearts, he had ſeriouſly intended, under colour of this Meſſage to the King, to diſcover if there were any ſparks yet left in his Royal breaſt, which might be kindled into affection, or acceptation of his Service; and hoped, if he could get any credit, to redeem his former treſpaſſes: But when he not only found his Majeſty cold towards him, but eaſily enough diſcern'd, by his reception, that all former inclinations were dead, and more than ordinary prejudices grown up towards him in their places, and that his advices were rejected, he return'd with rancour equal to the moſt furious he went to; and heartily joyn'd and concurr'd towards the ſuppreſſing that Power, in the Adminiſtration whereof he was not like to bear any part.

His Majeſty having, by his Anſwer, obliged himſelf not to make any forcible Attempt upon *Hull* till the 27th of *July*, by which time he might reaſonably expect an Anſwer to his Propoſitions, in the mean time reſolved to make ſome ſhort progreſs into the neighbour Counties; and accordingly, the ſame day the Meſſengers departed, the King went to *Doncaſter*; and the next day to *Nottingham*; and ſo to *Leiceſter*; where he heard, the Earl of *Stamford*, and ſome other Parliament Men were executing the Ordinance of the Militia: But, before his Majeſty came thither, they removed themſelves to *Northampton*; a Town ſo true to them, as, if they had been purſued, would have ſhut their Gates againſt the King Himſelf, as *Hull* had done.

At *Leiceſter* the King was received, with great expreſſions of Duty and Loyalty, by the appearance of the Train'd-bands, and full Acclamations of the People; yet there were two Accidents that happen'd there, which, if they be at all remember'd, will manifeſt, that if the King were Loved there as he ought to be, that the Parliament was more Fear'd than He. It happen'd to be at the time of the general Aſſizes, and Juſtice *Reeve* (a Man of a good reputation for Learning, and Integrity; and who, in good times, would have been a good Judge) ſate there as Judge; and Mr. *Henry Haſtings*, younger Son to the Earl of *Huntington*, was purpoſely made high Sheriff, to contain the County within the limits of their duty by the Power of that Office, as well as by the Intereſt, and Relation of his Family. The Earl of *Stamford*, and his Aſſiſtants, had departed the Town but few hours before his Majeſty's Entrance; and had left their Magazine, which was indeed the Magazine of the County, in a little Store-Houſe at the end of the Town, guarded by ſome inferior Officers whom they had brought down to Train and Exerciſe the Militia, and other Zealous and devoted Men of the County, in all to about the Number of 25, who had barricadoed the door of the Houſe; and profeſſed " to keep it againſt all demanders; having proviſions within it of all ſorts. The King was very unwilling (coming in ſo peaceable a manner, at ſo peaceable a time) to take any notice of it. On the other hand, it was an Act of too great inſolence to be ſuffer'd; and, upon the matter, to leave a Garriſon of the Rebels in poſſeſſion of the Town; and therefore he ſent word to the Judge, " that if He took not ſome legal way to remove " ſuch a Force ſo near his Majeſty, his Majeſty would do it in ſome Extraor- " dinary courſe: Which, upon the ſuddain, would have puzled him to have done; having neither Soldier, Cannon, nor Powder to effect it; the want of which as much troubled the Sheriff. In the end, the Gentlemen of the

Country, who had not yet otherwiſe declared themſelves on either ſide, than by waiting on his Majeſty, finding that the King would not go from the Town, till that Nuiſance was removed; and that it might bring Inconveniencies, Charge, and Miſchief to the County of a high nature; ſo prevailed, that, as his Majeſty was contented to take no notice of it, ſo they within the Houſe, in the night, upon aſſurance of Safety, and Liberty to go whither they would, removed and left the Houſe; and ſo that matter was quieted.

The other Accident was, or was like to have proved, more Ridiculous: Some of the King's Servants, hearing that the Earl of *Stamford*, and the other Militia Men were newly gone out of the Town, had of Themſelves, coming thither before the King, galloped after them; intending to have apprehended them, and brought them before the King; and, tho' the other were too fleet for them, had, in the way, overtaken Doctor *Baſtwick*, a Man well known, who had been a principal Officer with them at *Leiceſter*, and fled at the ſame time, but could not keep pace with his Commanders: Him they brought to the Town, where, by the Sheriff, he was committed to Priſon; having confeſſed enough Treaſon, and juſtifying it, as would have juſtly hanged any Subject. The King thought once to have had him indicted then, at the Aſſizes, upon the plain Statute of 25 *E.* III. But the Judge beſought his Majeſty not to put a matter of ſo great moment, upon which the power of the two Houſes of Parliament, and a Parliament ſitting, muſt be determin'd, before one ſingle Judge, whoſe reputation was not enough to bear ſo great a burthen; however, he declared his own opinion fully to his Majeſty, "that it was Treaſon; which, he believed, all the other Judges "muſt acknowledge; and if convened together by his Majeſty to that pur- "poſe, he thought a joynt Declaration, and Reſolution of all together might "be of great uſe to the King; whereas the publiſhing of His particular "opinion could only deſtroy himſelf, and nothing advance his Majeſty's Ser- "vice: Beſides, he had no reaſon to be ſo confident of the Country, as to "conclude that a Jury, then ſuddainly ſummon'd, would have the courage "to find the Bill; and then their Not doing it, if it were attempted, would "prove a greater countenance to the Ordinance, than the Votes of the two "Houſes had yet given it. This laſt reaſon gave his Majeſty ſatisfaction; ſo that he was contented that the fellow ſhould be kept in Priſon, and the Trial be deferred, till he could conveniently ſummon more Judges to be preſent.

His Majeſty was no ſooner perſwaded to be content that this proſecution might be ſuſpended, but the cloſe Agents for the Parliament's Service, who were not yet diſcover'd, but appear'd very intire to the King, ſo dextrouſly carried themſelves, that they prevailed with thoſe Gentlemen of the Country, whoſe Zeal to his Majeſty was moſt eminent and unqueſtionable, and even with the Judge himſelf, "to wiſh, that his Majeſty would freely and gra- "ciouſly diſcharge the Doctor of his Impriſonment; or give the Judge leave "to do ſo upon a *Habeas Corpus* (which he was adviſed to require) "And "that it would be ſuch an Act of Mercy, and ſingular Juſtice, that would "not only work upon the People of That County to his Majeſty's advan- "tage, but muſt have a great influence upon the whole Kingdom, and even "upon the Parliament it ſelf. And with this ſtrange deſire the good Judge, and thoſe principal Gentlemen, confidently came to the King, the night before he intended to return Northward. His Majeſty told them, "he would "think of it till the next morning. And, in the mean time, concluding by what he heard, that tho' he ſhould refuſe to diſcharge him, or to conſent that he ſhould be diſcharged, his reſtraint would not be long in that place after His departure, the People already reſorting to him with great Licence, and the Doctor, according to his Nature, talking ſeditiouſly and and loudly, he directed "a Meſſenger of the Chamber very early, with "ſuch Aſſiſtance as the Sheriff ſhould give him, to carry him away to "*Nottingham*; and, by the help of that Sheriff, to the Goal at *York*: Which was executed accordingly with expedition, and ſecrecy; if either of which had been abſent, it is certain the Common People had reſcued him; which, of how trivial a moment ſoever it ſhall be thought, I could not but mention

tion as an Inſtance of the Spirit and Temper of that time, and the great Diſadvantage the King was upon, that ſo many very good Men thought fit, at a time, when very many hundreds of Perſons of Honour, and Quality, were impriſon'd with all ſtrictneſs and ſeverity by the Parliament, upon the bare ſuſpition that they meant to go to the King, or that they wiſhed well to him, or for not ſubmitting to ſome illegal Order, or Command of Theirs, that the King ſhould diſcharge an infamous Perſon, taken in an Act of High-Treaſon, and who more frankly, and avowedly profeſſed ſedition, than he did the Science of which he pretended to be Doctor.

The King, according to his appointment, return'd towards *Hull*, in expectation of an Anſwer from the Parliament; which came two days after the appointed day, but with no ſolemnity of Meſſengers, or other ceremony, than incloſed to one of the Secretaries to be preſented to the King; in which they told him,

" That they could not, for the preſent, with the diſcharge of the Truſt " repoſed in them for the ſafety of the King and Kingdom, yield to thoſe " Demands of his Majeſty: The reaſon why they took into their cuſtody the " Town of *Hull*, the Magazine, and Navy; paſſed the Ordinance of the " Militia; and made preparation of Arms; was for ſecurity of Religion, the " ſafety of his Majeſty's Perſon, of the Kingdom, and Parliament; all which " they did ſee in evident, and imminent danger; from which when they " ſhould be ſecured, and that the Forces of the Kingdom ſhould not be uſed " to the deſtruction thereof, they ſhould then be ready to withdraw the " Garriſon out of *Hull*; to deliver the Magazine and Navy; and ſettle the " Militia, by Bill, in ſuch a way as ſhould be honourable and ſafe for his " Majeſty; moſt agreeable to the duty of Parliament; and effectual for the " Good of the Kingdom; as they had profeſſed in their late Petition. And " for Adjourning the Parliament, they apprehended no reaſon for his Ma- " jeſty to require it; nor ſecurity for themſelves to conſent to it. And as for " that reaſon which his Majeſty was pleaſed to expreſs, they doubted not but " the Uſual place would be as ſafe for his Royal Perſon, as any other; con- " ſidering the full Aſſurance they had of the Loyalty, and Fidelity of the " City of *London* to his Majeſty; and the care which his Parliament would " ever have to prevent any danger, which his Majeſty might juſtly appre- " hend; beſides the manifold conveniences to be had there, beyond any o- " ther parts of the Kingdom. And as for the laying down of Arms; when " the cauſes which moved them to provide for the defence of his Majeſty, the " Kingdom, and Parliament, ſhould be taken away, they ſhould very wil- " lingly, and chearfully forbear any further Preparations, and lay down their " Force already raiſed. *The Parliaments Replication*, July 26. 1642.

Which Replication, as they called it, to his Majeſty's Anſwer, they order'd " to be Printed, and read in all Churches and Chappels within the " Kingdom of *England*, and Dominion of *Wales*.

And ſo the War was now denounced, by their expreſs Words againſt his Majeſty; as it had been long before in their Actions; and both Parties ſeem'd to give over all thoughts of further Treaties, and Overtures; and each prepared to make themſelves conſiderable by the ſtrength, and power of ſuch Forces, as they could draw together.

In *London* they intended nothing but the forming of their Army, and ſuch other things of power, as were in order thereunto. To that purpoſe, the Bill for the payment of Tonnage and Poundage being expired, on the firſt day of *July*, and they having ſent another of the ſame nature to the King for his conſent for ſix Months longer, his Majeſty, ſince he ſaw That, and all other Money properly belonging to him, violently taken from him, and imployed by them againſt him, refuſed to give his Royal Aſſent thereunto: Whereupon, without the leaſt hæſitation (albeit it had been enacted this very Parliament, " that whoſoever ſhould preſume to pay, or receive that duty, after the expi- " ration of the Act, before the ſame was re-granted to his Majeſty with the " conſent of the Lords and Commons, ſhould be in a Præmunire; which is the heavieſt puniſhment inflicted by Law, but the loſs of Life) they appointed,

and order'd by the Power of the two Houſes (which they called an Ordinance of Parliament) " that the ſame duty ſhould be continued; and declared " that they would ſave all Perſons concern'd, from any Penalty or Puniſhment " whatſoever: By which they now became poſſeſſed of the Cuſtoms, in their own right.

Towards ſuch, as any ways (tho' under the obligation of Oaths or Offices) oppoſed, or diſcountenanced what they went about, they proceeded with the moſt extravagant ſeverity that had been ever heard of; of which I ſhall only mention two Inſtances; the Firſt, of the Lord Mayor of *London*, Sir *Richard Gourney*, a Citizen of great Wealth, Reputation, and Integrity; whom the Lords had, upon the complaint of the Houſe of Commons, before their ſending the laſt Petition to the King (of which his Majeſty gave them a touch in his Anſwer) committed to the Tower of *London*, for cauſing the King's Proclamation againſt the Militia, by vertue of his Majeſty's Writ to him directed, and according to the known Duty of his Place, to be publickly proclaim'd. And ſhortly after, that they might have a Man more compliant with their deſigns to govern the City, notwithſtanding that he inſiſted upon his innocence, and made it appear that he was obliged by the Laws of the Land, the Cuſtoms of the City, and the Conſtitution of his Office, and his Oath, to do whatſoever he had done; He was by their Lordſhips, in the preſence of the Commons, adjudged " to be put out of his Office of Lord Mayor of *London*; " to be utterly incapable of bearing Office in City or Kingdom, and of all " Honour or Dignity; and to be impriſon'd, during the pleaſure of the two " Houſes of Parliament. And, upon this ſentence, Alderman *Pennington*, ſo often before mention'd, was, by the noiſe and clamour of the Common People, againſt the Cuſtoms and Rules of Election, made Mayor; and accordingly inſtalled; and the true, old, worthy Mayor committed to the Tower of *London*; where, with notable courage and conſtancy, he continued almoſt to his death.

The other Inſtance, I think fit to mention, is that of Judge *Mallet*; who, as is before remember'd, was committed to the Tower the laſt Lent, for having ſeen a Petition prepared by the grand Jury of *Kent*, for the Countenance of the Book of Common Prayer, and againſt the impoſition of the Militia by Ordinance without the Royal Aſſent. This Judge (being, this Summer Circuit, again Judge of Aſſize for thoſe Counties) ſitting at *Maidſtone*, upon the great Aſſize, ſome members of the Houſe of Commons, under the ſtyle and title of a Committee of Parliament, came to the Bench; and, producing ſome Votes, and Orders, and Declarations of one or both Houſes, " required " him, in the name of the Parliament, to cauſe thoſe Papers (being on the behalf of the Ordinance of the Militia, and againſt the Commiſſion of Array) " to be read. He told them, " that he ſat there by vertue of his Ma- " jeſty's Commiſſions; and that he was authorized to do any thing compriſed " in thoſe Commiſſions; but he had no authority to do any thing elſe; and " therefore, there being no mention, in either of his Commiſſions, of thoſe " Papers, or the Publiſhing any thing of that nature, he could not, nor " would not do it; and ſo (finding leſs reſpect and ſubmiſſion, than they expected, both to their Perſons and their Buſineſs, from the Learned Judge, and that the whole County, at leaſt the prime Gentlemen and the Grand Jury, which repreſented the County, contemn'd both much more) this Committee return'd to the Houſe with great exclamations againſt Mr. Juſtice *Mallet*, " as the Fomenter and Protector of a Malignant Faction againſt the Parliament. And, upon this Charge, a Troop of Horſe was ſent to attend an Officer; who came with a Warrant from the Houſes, or ſome Committee (whereas Juſtice *Mallet*, being an Aſſiſtant of the Houſe of Peers, could not Regularly be ſummon'd by any other Authority) to *Kingſton* in *Surrey*, where the Judge was keeping the general Aſſizes for that County; and, to the unſpeakable Diſhonour of the Publick Juſtice of the Kingdom, and the Scandal of all Miniſters or Lovers of Juſtice, in that violent manner took the Judge from the Bench, and carried him Priſoner to *Weſtminſter*; from whence, by the two Houſes, he was committed to the Tower of *London*; where he remain'd

main'd for the ſpace of above two years, without ever being charged with any particular Crime, till he was redeem'd by his Majeſty by the exchange of another, whoſe liberty they deſired.

By theſe heightned Acts of Power and Terrour, they quickly demonſtrated, how unſecure it would be for any Man, at leaſt not to concur with them. And, having a General, Armes, Money, and Men enough at their devotion, they eaſily form'd an Army, publickly diſpoſing ſuch Troops and Regiments, as had been raiſed for *Ireland*, and, at one time one hunder'd thouſand pounds of that Money, which, by Act of Parliament, had been paid for that purpoſe, towards the conſtituting that Army, which was to be lead againſt their Lawful Soveraign. So that it was very evident, they would be in ſuch an Equipage within few Weeks, both with a Train of Artillery, Horſe and Foot, all taken, arm'd, furniſhed, and ſupplied out of his Majeſty's own Magazines and Stores, that they had not reaſon to fear any oppoſition. In the mean time, they declared, and publiſhed to the People, " that they raiſed that Army, only for " the defence of the Parliament, the King's Perſon, and the Religion, Li- " berty, and Laws of the Kingdom, and of thoſe, who, for Their ſakes, " and for thoſe Ends, had obeyed their Orders: That the King, by the in- " ſtigation of evil Counſellors, had raiſed a great Army of Papiſts; by which " he intended to awe, and deſtroy the Parliament; to introduce Popery, and " Tyranny: Of which intention, they ſaid, his requiring *Hull*; his ſending " out Commiſſions of Array; beſpeaking Armes and Ammunition beyond " the Seas (there having been ſome brought to him by the Ship called the " Providence) his declaring Sir *John Hotham* Traytor; and the putting out " the Earl of *Northumberland* from being Lord High-Admiral of *England*; " his removing the Earl of *Pembroke*, *Eſſex*, *Holland*, the Lord *Fielding*, and " Sir *Henry Vane*, from their ſeveral places and imployments; were ſufficient " and ample evidences: And therefore, they conjured all Men, to aſſiſt " their General, the Earl of *Eſſex*. And, for their better, and more ſecret tranſaction of all ſuch Counſels, as were neceſſary to be enter'd upon, or follow'd, they made a Committee, of ſome choice Members of either Houſe, to intend the great buſineſs of the Kingdom with reference to the Army; who had Authority, without ſo much as communicating the matter to the Houſe, to impriſon Perſons, ſeiſe upon their Eſtates; and many other Particulars, which the two Houſes, in full Parliament, had not the leaſt Regular, Legal, Juſtifiable Authority to do. And, for the better encouragement of Men to engage in the Service, the Lord *Kimbolton*, and the five Members of the Houſe of Commons, formerly accuſed by his Majeſty of High-Treaſon, upon ſolemn debate, had ſeveral Regiments conferr'd on them; and, by their example, many other Members of both Houſes, ſome upon their lowneſs, and decaiedneſs of their Fortunes, others to get name and reputation to be in the number of Reformers (amongſt whom they doubted not all Places of Honour, or Offices of profit, would be beſtow'd) moſt upon the confidence, that all would be ended without a Blow, by the King's want of power to gather ſtrength, deſired and obtain'd Command of Horſe or Foot; their Quality making amends for their want of experience, and their other defects; which were repaired by many good Officers both Engliſh, and Scots; the late Troubles having brought many of that tribe to *London*, and the reputation of the Earl of *Eſſex* having drawn others, out of the Low Countries, to engage in that Service. In the choice of which Officers, whilſt they accuſed the King of a purpoſe to bring a Forreign Force, and of entertaining Papiſts, they neither conſider'd Nation nor Religion; but entertain'd all Strangers, and Forreigners, of what Religion ſoever, who deſired to run their Fortune in the War.

On the other ſide, Preparations were not made with equal expedition, and ſucceſs by the King, towards a War: For, tho' he well underſtood and diſcern'd, that he had nothing elſe to truſt to, he was to encounter ſtrange Difficulties to do that. He was ſo far from having Money to levy, or pay Soldiers, that he was, at this very time, compell'd, for very real want, to let fall all the Tables kept by his Officers of State in Court, by which ſo many of

all qualities ſubſiſted; and the Prince, and Duke of *York*, eat with his Majeſty; which Table only was kept. And whoever knows the Conſtitution of a Court, well knows what indiſpoſitions naturally flow from thoſe declenſions; and how ill thoſe Tempers bear any diminution of their own Intereſts; and, being once indiſpoſed themſelves, how eaſily they infect others. And that which made the preſent want of Money the more intolerable, there was no viſible hope from whence ſupply could come, in any reaſonable time: And that which was a greater want than Money, which Men rather fear'd than found, there were no Arms; for, notwithſtanding the fame of the great Store of Ammunition, brought in by that Ship, it conſiſted only in truth of Cannon, Powder, and Bullet, with eight hundred Muſquets, which was all the King's Magazine. So that the haſtening of Levies, which at that time was believ'd would not prove difficult, would be to little purpoſe, when they ſhould continue unarm'd. But that which troubled the King more than all theſe real incapacities of making War, was the temper and conſtitution of his own Party; which was compounded, for the moſt part, in Court, Councel, and Country, of Men drawn to him by the impulſion of Conſcience and abhorring the unjuſt and irregular proceedings of the Parliament; otherwiſe unexperienced in Action, and unacquainted with the Myſteries, and neceſſary Policy of Government; ſevere obſervers of the Law, and as ſcrupulous in all matters relating to it, as the other pretended to be. All his Majeſty's Ancient Counſellors, and Servants (except ſome few of laſting Honour, whom We ſhall have occaſion often to mention) that they might redeem former overſights, or for other unworthy deſigns, being either publickly againſt him in *London*, or privately diſcrediting his Intereſt and Actions, in his own Court. Theſe Men ſtill urg'd "the execution of the Law; that what extravagances "ſoever the Parliament practiced, the King's obſervation of the Law would, "in the end, ſuppreſs them all. And, indeed, believed the raiſing a War to be ſo wicked a thing, that they thought it impoſſible the Parliament ſhould intend it, even when they knew what they were doing. However they concluded, "that he, that was forwardeſt in the preparing an Army, would be "firſt odious to the People; by the affections of whom, the other would be "eaſily ſuppreſt.

This was the general receiv'd Doctrine; and tho' it appear'd plainly to others (of equal affection to the Publick Peace) how fatal thoſe Concluſions, in that ſenſe in which they were urged, muſt prove to the whole Kingdom; and how ſoon the King muſt be irrecoverably loſt, if he proceeded not more vigorouſly in his defence; yet even thoſe Men durſt not, in any form'd and publick Debate, declare themſelves; or ſpeak that plain Engliſh the State of Affairs required; but ſatisfied themſelves with ſpeaking, what they thought neceſſary, to the King in Private; by which means the King wanted thoſe firm and ſolid foundations of Councel and Foreſight, that were moſt neceſſary for his condition: So that he could neither impart the true motives, and grounds of any important Action, nor diſcover the utmoſt of his Deſigns. And ſo he ſtill ſeem'd (notwithſtanding the greateſt, and avow'd preparations of the Enemy) to intend nothing of Hoſtility, but in order to the reducing of *Hull*; the benefit of which, he hoped, would engage the Train'd-bands of that great County (which was the ſole ſtrength he yet drew thither) till he could bring other Forces thither, which might be fit for that, or any other Deſign.

But there was another Reaſon of his Majeſty's going to, and ſtaying at *Beverly*, than was underſtood; and, it may be, if it had been known, might have produced a better Effect; which I think neceſſary to inſert in this place. The Lord *Digby*, whom We have mention'd before, in the firſt diſorder, by which the King and Queen were driven from *London*, to have left *England*, and to be after unreaſonably accuſed by the Houſe of Commons of High-Treaſon, had remain'd from that time in *Holland*; and, hearing the King's condition at *York*, to be ſo much improved beyond what he left it at *Windſor*, had, with ſome Commands from the Queen, arrived there very privately, and ſtayed ſome days in a diſguiſe at *York*, revealing himſelf to very

very few Friends, and ſpeaking with the King in ſo ſecret a manner in the night, that no notice was taken of his being there; and, finding the King's Affairs not in ſo good a poſture as he expected, and conceiving it yet not fit for him to appear, reſolved to return again to the Queen, and to haſten that proviſion of Arms and Ammunition, without which it was not poſſible for the King to reſiſt any violence, that threaten'd him; and ſo, in the ſame Bark which brought him over, he went again to Sea for *Holland*, with *Wilmot*, *Aſhburnham*, *Pollard*, and *Berkley*, who purpoſely removed themſelves from Court, upon the clamour of the Parliament, till the King was ready to uſe their ſervice. They were not many hours at Sea, when they met the Providence (which We mention'd before) with the Ammunition, which was only wanted; and, well knowing her, they agreed, "that *Wilmot*, *Pollard* and *Berkley*, ſhould return with the "Ammunition to the King; and *Digby*, and Coll. *Aſhburnham*, ſhould purſue "their former Intentions for *Holland*. But their Parties continued ſo long, that the Parliament Ships, who had watched and chaſed the Providence, came up to them; and, tho' the Ship eſcaped, and run on ſhore, as was before mention'd, yet the Fly-boat, in which the Lord *Digby* was, could not ſo well get away; but was taken by them, and carried in with ſo much the more triumph into *Hull*, that they had been diſappointed of their greater Prize. Coll. *Aſhburnham*, tho' he was in great umbrage with the Parliament, and one of thoſe Delinquents, whom they reproached the King with, was ſo well known to Sir *John Hotham*, with whom he ſtood in a good degree of familiarity, that he could not diſſemble or conceal himſelf; but the Lord *Digby*, being in ſo real a diſguiſe, that his neareſt friends would not eaſily have known him, pretended to be a French-man, whoſe language he ſpoke excellently; and ſeem'd to be ſo Sea-ſick, that he kept himſelf in the hole of the Bark, till they came to *Hull*; and, in that time, diſpoſed of ſuch Papers, as were not fit to be peruſed; and, when he came on Shore, ſo well counterfeited ſickneſs, and want of health, that he eaſily procured himſelf to be ſent, under a Guard, to ſome obſcure corner for repoſe; whilſt Coll. *Aſhburnham*, who was the only Priſoner they thought worth the looking after, was carefully carried to the Governor; who received him with as much Civility, as he could reaſonably expect.

The Lord Digby's *tranſactions, with Sir* John Hotham, *in* Hull.

The Lord *Digby*, being by himſelf, quickly conſider'd the deſperateneſs of his condition: "That it would not be poſſible to conceal himſelf long, being "ſo well known to many who were in the Providence, and the Garriſon "quickly knowing whatſoever was ſpoken of in the Country: That he was, "how unjuſtly, or unreaſonably ſoever, the moſt odious Man of the King-"dom to the Parliament; into whoſe hands if he ſhould then come, his Life "would be, at leaſt, in apparent hazard: And how to get himſelf out of that Labyrinth was very difficult, ſince Sir *John Hotham* was ſo far from any inclination of kindneſs towards him, as he had own'd to Coll. *Aſhburnham*, that he was in the Number of his moſt notorious Enemies. However, in this eminent extremity (as he is a Man of the greateſt preſence of mind, and the leaſt appalled upon danger, that I have known) he reſolved, not to give himſelf over; and found means to make one of his Guard, in broken Engliſh, which might well have become any French-man, underſtand, "that he deſired to "ſpeak privately with the Governour; and that he would diſcover ſome Se-"crets of the King's, and Queen's to him, that would highly advance the "Service of the Parliament. The Fellow made haſt to let the Governour know theſe good tidings; who, underſtanding French well, as ſpeedily ſent for the French-man; who was brought before him in the preſence of much company, and, without any diſorder, gave ſuch an account of himſelf, as they underſtood him to have ſeen much of the French Service (of which he ſpoke very fluently) and to have come over recommended to the King for ſome Command, if he ſhould have occaſion to uſe Soldiers; as, he ſaid, People abroad conceived him likely to have. After he had entertain'd the company with ſuch diſcourſe, there being preſent ſome Gentlemen, who came lately out of *France*, and ſo being the more curious to adminiſter queſtions, he applied himſelf to the Governour; and told him, "that if he might

" be admitted to privacy with him, he would diſcover ſomewhat to him, " which he would not repent to have known. The Governour, who was a Man apt enough to fear his own Safety, but more apprehenſive of the Jealouſies which would attend him (for his eldeſt Son, and ſome others were more abſolutely confided in by the Parliament than himſelf, and were, in truth, but Spies over him) would not venture himſelf into another Room; but drew him to a great Window at a convenient diſtance from the company, and wiſhed him " to ſay what he thought fit. The Lord *Digby*, finding he could not obtain more privacy, ask'd him, in Engliſh, " whether he knew " him? the other ſurpriſed, told him *No*; Then, ſaid he, I ſhall try whether " I know Sir *John Hotham*; and whether he be, in truth, the ſame Man of " Honour, I have allways taken him to be: And, thereupon, told him " who he was; and " that he hoped he was too much a Gentleman to " deliver him up a ſacrifice to Their rage and fury, who, he well knew were " his implacable Enemies. The other, being aſtoniſhed, and fearing that the By-ſtanders would diſcover him too (for being now told who he was, he wonder'd he found it not out Himſelf) he deſired him " to ſay no more for the " preſent; that he ſhould not be ſorry for the truſt he repoſed in him, and " ſhould find him the ſame Man he had thought him: That he would find " ſome time, aſſoon as conveniently he might, to have more conference with " him. In the mean time, that he ſhould content himſelf with the ill accommodation he had; the amendment whereof would beget ſuſpicion: " And ſo he call'd the Guard, inſtantly to carry him away, and to have a " very ſtrict Eye upon him; and turning to the Company, and being conſcious to himſelf of the trouble and diſorder in his Countenance, told them, " that the French-man was a ſhrew'd Fellow, and underſtood more of the " Queen's Counſels and deſigns, than a Man would ſuſpect: That he had " told him that which the Parliament would be glad to know; to whom preſently he would make a diſpatch, tho' he had not yet ſo clear informations, " as, he preſum'd, he ſhould have after two or three days: And ſo departed to his Chamber.

It was a wonderful influence, that this Noble Perſon's Stars (which uſed to lead him into, and out of the greateſt perplexities and dangers, throughout the whole courſe of his Life) had upon this whole affair. *Hotham* was by his nature and education, a rough and rude Man; of great covetouſneſs, of great pride, and great ambition; without any Bowels of good nature, or the leaſt ſenſe, or touch of generoſity; his parts were not quick and ſharp, but compoſed, and he judged well; he was a Man of craft, and more like to deceive, than to be couzen'd: Yet, after all this, this young Noble Man, known, and abhorr'd by him, for his admirable faculty of Diſſimulation, had ſo far prevail'd, and impoſed upon his ſpirit, that he reſolved to practiſe that Virtue, which the other had imputed to him; and not to ſuffer him to fall into the hands of his Enemies. He ſent for him, the next day, at an hour when he was moſt vacant from attendants, and obſervers; and, at firſt, told him his reſolution; " that, ſince he had ſo " frankly put himſelf into his hands, he would not deceive his Truſt; and " wiſhed him " to conſider, in what way, and by what colour, he ſhould " ſo ſet him at Liberty, that he might, without any other danger, arrive at the " place where he would be. For, he ſaid, he would not truſt any Perſon " living with the Secret, and leaſt of all his Son; whom he mention'd with all " the bitterneſs imaginable, " as a Man of an ill nature, and furiouſly addicted to " the worſt deſigns the Parliament had, or could have; and One that was more " depended upon by them than Himſelf, and ſent thither only as a Spy upon him. From hence he enter'd upon the diſcourſe " of the times, and miſchief that " was like to befal the whole Kingdom, from the difference between the " King and the Parliament. Then lamented his own Fate, " that, being a " Man of very different Principles from thoſe, who drove things to this extremity, and of intire affection and duty to the King, he ſhould now be " looked upon as the chief ground, and cauſe of the Civil War which was to " enſue, by his not opening the Ports, when the King would have enter'd in-

" to

" to the Town: Of which buſineſs, and of all the circumſtances attending it, he ſpake at large; and avow'd, " that the information ſent him of the King's " purpoſe preſently to hang him, was the true cauſe of his having proceeded " in that manner.

The Lord *Digby*, who knew well enough how to cultivate every period of ſuch a diſcourſe, and how to work upon thoſe Paſſions which were moſt predominant in him, joyn'd with him in the ſenſe of the Calamities, which were like to befall the Nation; which he bewailed Pathetically; and, " that " it ſhould be in the power of a handful of ill Men, corrupted in their " Affections to the King, and againſt Monarchy it ſelf, to be able to involve " him, and many other of his clear intentions, in their dark Counſels, and to " engage them to proſecute ends which they abhorred, and which muſt de- " termine in the ruin of all the undertakers. For, he told him, that the King, " in a ſhort time, would reduce all his Enemies: That the hearts of the " People were allready, in all places aliened from them; and that the Fleet " was ſo much at the King's diſpoſal, that, aſſoon as they ſhould recieve his " Orders, they would appear in any place he appointed: That all the Princes " in *Chriſtendom* were concern'd in the quarrel, and would engage in it, aſſoon " as they ſhould be invited to it: And that the Prince of *Orange* was reſolved " to come over in the head of his Army, and would take *Hull* in three days. All which ought, reaſonably, to have been true in the Practick, tho' it had very little ground in the Speculation. And when he had, by degrees, amu- ſed and terrified him with this diſcourſe, he enlarged upon " the Honour " and Glory, that man would have who could be ſo bleſſed, as to prevent " this terrible Confuſion, that was in view: That King and People would " joyn in rewarding him with Honours, and Preferments of all kind; and " that his Name would be derived to poſterity, as the Preſerver of his Coun- " try. He told him, " He was that Man, that could do all this; that by " delivering up *Hull* to the King, he might extinguiſh the War; and that im- " mediately a Peace would be eſtabliſhed throughout the Kingdom: That " the world believed, that he had ſome credit both with the King, and " Queen; that he would imploy it all in his Service; and if he would give " this riſe to begin upon, he ſhould find, that he would be much more ſo- " licitous for His greatneſs, and a full recompence for his merit, than he " was now for his own ſafety. All theſe Advertiſements, and Reflections were the ſubject of more than one diſcourſe; for Sir *John Hotham* could not bear the variety, and burthen of all thoſe thoughts together; but within two days all things was adjuſted between them. *Hotham* ſaid, " it would " not become him, after ſuch a refuſal, to put the Town into the King's " hands; nor could he undertake (if he reſolved) to effect it; the Town " it ſelf being in no degree affected to his Majeſty's Service; and the " Train'd-bands, of which the Garriſon wholely conſiſted, were under Of- " ficers upon whom he could not depend. But, he ſaid, if the King would " come before the Town, tho' but with one Regiment, and plant his Can- " non againſt it, and make but one ſhot, he ſhould think he had diſcharg'd " his Truſt to the Parliament, as far as he ought to do; and that he would " immediately then deliver up the Town; which he made no doubt but that " he ſhould be then able to do. And, on this errand, he was contented the Lord *Digby* ſhould go to the King, and be conducted out of the Town beyond the limits of danger; the Governour having told thoſe Officers he truſted moſt, " that he would ſend the French-man to *York*; who, he was well " aſſured, would return to him again. He gave him likewiſe a note to a Widow, who lived in that City, at whoſe houſe he might lodge, and by whoſe hands he might tranſmit any Letters to him.

When he came to *York*, and after he had ſpoke with the King, it was re- ſolved he ſhould appear in his own likeneſs, and wait upon the King in publick, that it might be believed, that he had tranſported himſelf from *Holland* in the Ship, that brought the Ammunition; which was hardly yet come to *York*, it being now about the time that Mr. *Villiers*, and Sir *John Pennington* had been ſent away, and before the news came of their ill ſuc-

ceſs. This was the cauſe of the ſuddain March towards *Hull*; before there was a Soldier levied to make an Aſſault, or maintain a Siege; which was ſo much wonder'd at then, and ſo much cenſur'd afterwards. For aſſoon as his Majeſty received this aſſurance, which he had ſo much reaſon to depend upon, by the treatment the Lord *Digby* had received, he declar'd, "he would upon ſuch a day, go to *Beverly*, a place within four miles of *Hull*; and appointed three or four Regiments of the Country, under the Command of ſuch Gentlemen whoſe affection was unqueſtionable, to march thither, as a Guard to his Perſon; and likewiſe ſent a little Train of Artillery, which might be ready for the Summons. When his Majeſty was ready with this Equipage for his March, the Lord *Digby* return'd again in his old diſguiſe to *Hull*, to make ſure that all things there might correſpond with the former obligation. Aſſoon as the King, and the whole Court (for none remain'd at *York*) came to *Beverly* (where they were all accommodated, which kept them from being quickly weary) and the Train'd-bands were likewiſe come thither, the General, the Earl of *Lindſey*, firſt took poſſeſſion of his Office; a little troubled, and out of countenance, that he ſhould appear the General without an Army; and be engaged in an Enterprize, which he could not imagine would ſucceed. His Majeſty order'd him to ſend out ſome Officers, of which there was good ſtore, to take a View of the Town, and of ſuch advantage ground within diſtance, upon which he might raiſe a Battery; as if he meant on a ſuddain to aſſault the place; which appear'd no unreaſonable deſign, if there were a good Party in the Town to depend upon. And yet the General had no opinion, that his Army of Train'd-bands would frankly expoſe themſelves to ſuch an Attack. Beſides a great number of Officers, and Perſons of Quality, who were all well Horſed, and had many Servants as well provided, the King had his Troop of Guards ſo conſtituted, as hath been ſaid before; and there were few Horſe in *Hull*, and thoſe without Officers, who underſtood that kind of Service. So that it was no hard matter to take a very full view of the Town, by riding to the very Ports, and about the Walls; nor, at firſt appearance, was there any ſhew of Hoſtility from the Town upon their neareſt approaches to it; but, after they had made that viſit two or three days together, they obſerved that the Walls were better mann'd, and that there was every day an increaſe of labourers repairing the Works; and then they begun to Shoot, when any went within diſtance of the Works.

Whereupon the King goes to Beverly *with deſign upon* Hull, *but in vain.*

All this while Sir *John Hotham* had tryed ſome of his Officers, in whoſe particular affection he had moſt confidence, how far they were like to be govern'd by him; and found them of a temper not to be relied upon. His Son was grown Jealous of ſome deſign, and was caballing with thoſe, who were moſt notorious for their diſaffection to the Government; and new Officers were ſent down, by the Parliament, to aſſiſt in the defence of the Town, which, they thought, might probably be attempted; and ſupplies of Men had been taken in from the Ships, and had been ſent thither from *Boſton*, a Town upon the ſame Coaſt, of eminent diſloyalty. So that, when the Lord *Digby* return'd thither, he found a great damp upon the ſpirit of the Governour, and a ſadneſs of mind, that he had proceeded ſo far; of which his Lordſhip made all the haſte he could to advertiſe the King; but his Letters muſt firſt be ſent to *York* before they could come to *Beverly*; and, when they were received, they contain'd ſtill ſomewhat of hope, "that he ſhould "be able to reſtore him to his former courage, and confirm his Reſolution: So that the King ſeem'd to defer any attempt, upon the hopes of the Earl of *Holland*'s Meſſage before mention'd, and, in the end he was compelled to give over the deſign, all hope from the Governour growing deſperate; whether from his want of Courage, or want of Power to execute what he deſired, remains ſtill uncertain. When Sir *John Hotham* gave over further thoughts of it, he diſmiſſed both the Lord *Digby*, and Coll. *Aſhburnham*, whom he had likewiſe detain'd till then, as a Man of uſe in the execution of the deſign, with many profeſſions of Duty to the King; and as the concealing thoſe two Perſons, and afterwards releaſing them, immediately increaſed the

the jealouſy of the Parliament againſt him, ſo it was the Principal cauſe, afterwards, of the loſs of his Head.

The King diſmiſſed the Train'd-bands, and return'd with his Court to *York* in ſo much leſs credit than when he came from thence, as the entring into a War without power, or preparation to proſecute it, was like to produce. The inconvenience was the greater, becauſe the principal Perſons of Quality, of Court or Country, and the Officers had the leſs reverence for the King's conduct, by ſeeing ſuch an Action enter'd upon with ſo little reaſon, and proſecuted ſo perfunctorily: All which reproaches his Majeſty thought fitter to bear, than to diſcover the Motives of his Journey; which were then known to few, nor, to this day have been publiſhed.

When the King return'd to *York*, exceedingly troubled at the late March he had made, and all Men expreſſing great impatience to be in Action, very many Perſons of Honour and Quality, having attended long at Court, believing they might be more uſeful to his Majeſty's Service in their own Countries, in reſtraining the diſaffected from any ſeditious attempts, and diſpoſing the People in general to be conſtant in their Loyalty, an Accident fell out, that made it abſolutely neceſſary for the King to declare the War, and to enter upon it, before he was in any degree ripe for Action; which was, that *Portſmouth* had declar'd for the King, and refuſed to ſubmit to the Parliament; which had thereupon ſent an Army, under the Command of Sir *William Waller*, to reduce it. The relating how this came to paſs, requires a large diſcourſe, and will adminiſter much variety, not without ſomewhat of pleaſure and wonder, from the temper and ſpirit of the Perſon who conducted that Action; if it can be ſaid to be conducted without any Conduct.

Coll. Goring *at* Portſmouth, *declares for the King.*

We have remember'd before, in the laſt year, the diſcourſe of the bringing up the Army to *London* to awe the Parliament, and the unſpeakable diſhonour, and damage the King ſuſtain'd by that diſcourſe, how groundleſs ſoever it was; all which was imputed to Coll. *Goring*, who, by that means, grew into great reputation with the Parliament, as a Man ſo irrecoverably loſt at Court, that he would joyn with them in the moſt deſperate deſigns; yet he carried himſelf with ſo great dexterity, that, within few Months he wrought upon the King and Queen to believe, that he ſo much repented that fault, that he would redeem it by any Service; and to truſt him to that degree, that the Queen, once, reſolv'd, when the tumults drove their Majeſty's firſt from *London*, for her ſecurity, to put her ſelf into *Portſmouth*, which was under his Government; whilſt his Majeſty betook himſelf to the Northern parts; which deſign was no ſooner over (if not before) than he, again, intimated ſo much of it to the Lord *Kimbolton*, and that Party, that they took all the truſt, he had from Court, to proceed from the confidence, their Majeſty's had of his Father's intereſt in him; whoſe Affection, and Zeal to their Service was ever moſt indubitable: but aſſured themſelves, He was their own, even againſt his own Father. So that he carried the matter ſo, that, at the ſame time, he received 3000*l.* from the Queen (which ſhe raiſed by the ſale of her Plate, and ſome Jewels) to fortify, and victual, and reinforce his Garriſon, againſt the time it ſhould be neceſſary to declare for the King; and a good ſupply from the Parliament, for the payment of the Garriſon, that it might be kept the better devoted to Them, and to Their Service. All which he perform'd with that admirable diſſimulation, and rare confidence, that, when the Houſe of Commons was inform'd by a Member, whoſe Zeal and Affection to them was as much valued as any Man's "that all his correſpondence in the "County was with the moſt Malignant Perſons; that of thoſe, many fre-"quently reſorted to, and continued with him in the Garriſon; that he "was fortifying, and raiſing of Batteries towards the Land: And that, "in his diſcourſe, eſpecially in the ſeaſons of his good fellowſhip, he uſed "to utter threats againſt the Parliament, and ſharp cenſures of their Proceed-"ings. And upon ſuch Informations (the Author whereof was well known to them, and of great reputation; and lived ſo near *Portſmouth*, that he could not be miſtaken, in the matter of fact) the Houſe ſent for him, moſt thinking he would refuſe to come.

Coll. *Goring* came, upon the Summons, with that undauntedneſs, that all clouds of diſtruſt immediately vaniſhed, inſomuch as no Man preſum'd to whiſper the leaſt jealouſy of him; which he obſerving, came to the Houſe of Commons, of which he was a Member; and, having ſate a day or two patiently, as if he expected ſome Charge, in the end he ſtood up, with a countenance full of modeſty, and yet not without a mixture of anger (as he could help himſelf with all the inſinuations of doubt, or fear, or ſhame, or ſimplicity in his face, that might gain belief, to a greater degree than I ever ſaw any Man; and could ſeem the moſt confounded when he was beſt prepared, and the moſt out of countenance when he was beſt reſolved, and to want words, and the habit of ſpeaking, when they flow'd from no Man with greater power) and told them, "that he had been ſent for by them, upon ſome "information given againſt him, and that, tho' he believed, the Charge be- "ing ſo ridiculous, they might have received, by their own particular in- "quiry, ſatisfaction; yet the diſcourſes that had been uſed, and his being "ſent for in that manner, had begot ſome Prejudice to him in his reputation; "which if he could not preſerve, he ſhould be leſs able to do Them ſervice; "and therefore deſired, that he might have leave (tho' very unskilful, and "unfit to ſpeak, in ſo wiſe and judicious an Aſſembly) to preſent to them "the ſtate and condition of that Place under his Command; and then he "doubted not but to give them full ſatisfaction in thoſe Particulars, which, "poſſibly, had made ſome impreſſion in them to his diſadvantage: That he "was far from taking it ill from thoſe, who had given any information a- "gainſt him; for, what he had done, and muſt do, might give ſome Um- "brage to well affected Perſons, who knew not the grounds and reaſons, that "induced him ſo to do; but that if any ſuch Perſon would, at any time, "reſort to him, he would clearly inform them of whatever Motives he had; "and would be glad of their Advice, and Aſſiſtance for the better doing "thereof. Then he took notice of every particular that had been publickly ſaid againſt him, or privately whiſper'd, and gave ſuch plauſible Anſwers to the whole, intermingling ſharp taunts, and ſcorns, to what had been ſaid of him, with pretty application of himſelf, and flattery to the Men that ſpake it: Concluding, "that they well knew, in what eſteem he ſtood with others; "ſo that if, by his ill carriage, he ſhould forfeit the good opinion of that "Houſe, upon which he only depended, and to whoſe Service he entirely "devoted himſelf, he were madder than his Friends took him to be, and "muſt be as unpitied in any miſery, that could befall him, as his Enemies "would be glad to ſee him. With which, as innocently and unaffectedly uttered, as can be imagin'd, he got ſo general an Applauſe from the whole Houſe, that, not without ſome little Apology for troubling him, "they deſir'd "him again to repair to his Government, and to finiſh thoſe Works, which were neceſſary for the ſafety of the place; and gratified him with conſenting to all the Propoſitions, he made in behalf of his Garriſon, and paid him a good ſum of Money for their Arrears; with which, and being privately aſſured (which was indeed reſolved on) that he ſhould be Lieutenant General of their Horſe in their new Army, when it ſhould be form'd, he departed again to *Portſmouth*; in the mean time, aſſuring his Majeſty by thoſe, who were truſted between them, "that he would be ſpeedily in a Poſture to "make any ſuch Declaration for his Service, as he ſhould be required; which he was forced to do ſooner than he was provided for it, tho' not ſooner than he had reaſon to expect.

When the Levies for the Parliament Army were in good forwardneſs, and that Lord had received his Commiſſion for Lieutenant General of the Horſe, he wrote to the Lord *Kimbolton*, who was his moſt boſom Friend, and a Man very powerful, deſiring, "that he might not be called to give his attend- "ance upon the Army, till it was ready to march; becauſe there were ſo "many things to be done, and perfected, for the ſafety of that important "Place, that he was deſirous to be preſent Himſelf at the work as long as "was poſſible. In the mean time, he had given directions to his Agent in "*London*, to prepare all things for his equipage; ſo that he would be ready "to

" to appear, at any Rendezvous, upon a days warning. Tho' the Earl of *Eſſex* did much deſire his company, and aſſiſtance in the Council of War, and preparing the Articles, and forming the Diſcipline for the Army, he having been more lately verſed in the Order and Rule of Marches, and the proviſions neceſſary, or convenient thereunto, than any Man then in their Service, and of greater Command than any Man but the General; yet the Lord *Kimbolton* prevailed, that he might not be ſent for, till things were riper for Action. And, when that Lord did afterwards write to him, " that it " was time he ſhould come away, he ſent ſuch new and reaſonable excuſes, that they were not unſatisfied with his delay; till he had multiplied thoſe excuſes ſo long, that they began to ſuſpect; and they no ſooner inclined to ſuſpicion, but they met with abundant Arguments to cheriſh it. His behaviour and courſe of Life was very notorious to all the Neighbours, nor was he at all reſerv'd in his mirth, and publick Diſcourſes, to conceal his opinion of the Parliament, and their Proceedings. So that, at laſt, the Lord *Kimbolton* writ plainly to him, " that he could no longer excuſe his abſence from " the Army, where he was much wanted; and that, if he did not come to " *London* by ſuch a ſhort day, as he named, he found his Integrity would be " doubted; and that many things were laid to his charge, of which he doub- " ted not his innocence; and therefore conjured him, immediately, to be " at *Weſtminſter*; it being now to be no longer deferr'd, or put off. He writ a jolly Letter to that Lord, " that, the truth was, his Council adviſed " him that the Parliament did many things which were illegal; and that he " might incur much danger by obeying all their Orders; that he had re- " ceived the Command of that Garriſon from the King; and that he durſt " not be abſent from it, without His leave: And concluded with ſome good Counſel to the Lord.

This Declaration of the Governour of a place, which had the reputation of being the only place of ſtrength in *England*, and ſituated upon the Sea, put them into many apprehenſions; and they loſt no time in endeavouring to reduce it; but, upon the firſt underſtanding his reſolution, Sir *William Waller* was ſent, with a good part of the Army, ſo to block it up, that neither Men, nor Proviſion, might be able to get in; and ſome Ships were ſent from the Fleet, to prevent any relief by Sea: And theſe advertiſements came to the King, aſſoon as he return'd to *York*.

It gave no ſmall reputation to his Majeſty's Affairs, when there was ſo great a damp upon the ſpirits of Men, from the miſadventures at *Beverly*, that ſo notable a place as *Portſmouth* had declared for him, in the very beginning of the War; and that ſo good an Officer as *Goring* was return'd to his duty, and in the poſſeſſion of the Town: And the King, who was not ſurpriſed with the matter, knowing well the reſolution of the Colonel, made no doubt, but that he was very well ſupplied with all things, as he might well have been to have given the Rebels work for three, or four Months, at leaſt. Whereupon, he forthwith publiſhed a Declaration, that had been long ready, in which he recapitulated all the Inſolent, and Rebellious Actions the two Houſes had committed againſt him; and declared them " to be guilty; and " forbid all his Subjects to yield any obedience to them: And, at the ſame time, publiſhed his Proclamation; by which, he " required all Men, who " could bear Arms, to repair to him at *Nottingham*, by the 25th of *Auguſt* fol- " lowing; on which day, he would ſet up his Royal Standard there, which " all good Subjects were obliged to attend. At the ſame time, he ſent the Marquis of *Hertford* to raiſe Forces in the Weſt, or, at leaſt, to reſtrain thoſe parts (where His Intereſt, and Reputation was greater than any Man's) within the limits of their Duty to the King, and from being corrupted, or perverted by the Parliament; and with him went the Lord *Seymour* his Brother; the Lord *Pawlet*, *Hopton*, *Stawel*, *Coventry*, *Berkeley*, *Windham*, and ſome other Gentlemen, of the prime Quality, and Intereſt in the Weſtern parts; who were like to give as good examples in their Perſons, and to be follow'd by as many Men, as any ſuch Number of Gentlemen in *England* could be. And, from this Party, enliven'd by the power, and reputation of

the Marquis, the King was in hopes, that *Portſmouth* would be ſhortly relieved, and made the head quarter to a good Army. When all this was done, he did all that was poſſible to be done, without Money to haſten his Levies of Horſe and Foot, and to prepare a light train of Artillery; that he might appear at *Nottingham*, at the day when the Standard was to be ſet up, with ſuch a body of Men, as might be, at the leaſt, a competent Guard to his Perſon.

Many were then of opinion, " that it had been more for his Majeſty's " benefit and Service, if the Standard had been appointed to be ſet up at " *York*; and ſo that the King had ſtayed there, without moving further South, " until he could have marched in the head of an Army, and not to depend " upon gathering an Army up in his March. All the Northern Counties " were, at preſent, moſt at his devotion; and ſo it would be moſt eaſy to " raiſe Men there: *New-Caſtle* was the only Port in his obedience, and whi- " ther he had appointed his ſupplies of Armes, and Ammunition to be ſent; of " which he had ſo preſent need, that all his Magazine, which was brought " in the Providence, was allready diſtributed to thoſe few Gentlemen, who " had received Commiſſions, and were moſt like ſpeedily to raiſe their Re- " giments; and it would be very long, and might prove a very dangerous " paſſage to get the ſupplies, which were daily expected, to be brought " with ſecurity from *New-Caſtle*, when the King ſhould be advanced ſo many " days Journey beyond *York*. All which were very important conſiderations, and ought to have prevailed; but the King's inclinations to be nearer *London*, and the expectation he had of great effects from *Portſmouth*, and the Weſt, diſpoſed him to a willingneſs to prefer *Nottingham*; but that which determin'd the Point, was an apparent, and manifeſt averſion in the *Yorkſhire* Gentlemen, whoſe Affections were leaſt ſuſpected, that his Majeſty ſhould continue, and remain at *York*; " which, they ſaid, the People appre- " hended, would inevitably make that Country the ſeat of the War: unskilfully imagining, that the War would be no where, but where the King's Army was; and therefore they facilitated all things, which might contribute to his remove from thence; undertook, to provide Convoys for any Arms and Ammunition from *New-Caſtle*; to haſten the Levies in their own Country; and to borrow the Arms of ſome of the Train'd-bands; which was the beſt expedient, that could be found out, to arm the King's Troops, and had it's reverſe in the murmurs it produced, and in leaving the beſt affected Men, by being diſarm'd, at the mercy of their Enemies; who carefully kept their Weapons, that they might be ready to fight againſt the King. This cauſed the reſolution to be taken for *Nottingham*, without enough weighing the objections, which, upon the Entrance into great Actions, cannot be too much deliberated, tho', in the Execution, they were beſt ſhut out. And it quickly appeared in thoſe very Men, who prevailed moſt in that Council; for, when the time drew on, in which his Majeſty was to depart, and leave the Country, Then they remember'd, " that the Garriſon of *Hull* would be left as a thorn in their ſides, where there were well form'd, and active Troops, " which might march over the Country without controul, and come into *York* " it ſelf without reſiſtance: That there were many diſaffected Perſons of " Quality, and Intereſt in the Country, who, aſſoon as the King ſhould be " gone, would appear amongſt their neighbours, and find a concurrence from " them in their worſt deſigns; and that there were ſome places, ſome whole " Corporations, ſo notoriouſly diſaffected, eſpecially in matters relating to " the Church, that they wanted only Conductors to carry them into Rebel- " lion.

Theſe, and the like reflections, made too late impreſſions upon them; and Now, too much, they magnified this Man's power, whom before they contemn'd; and doubted that Man's Affection, of which they were before ſecure; and made a thouſand Propoſitions to the King this day, whereof they rejected the greateſt part to morrow; and, as the day approached nearer for the King's departure, their apprehenſions and irreſolutions, increaſed.

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In the end, they were united in two Requeſts to the King; "that he would "commit the ſupreme Command of the Country, with reference to all "Military Affairs, to the Earl of *Cumberland*; and qualify him, with an ample "Commiſſion, to that purpoſe. The other, "that his Majeſty would com-"mand Sir *Thomas Glemham* to remain with them, to govern and command "ſuch Forces, as the Earl of *Cumberland* ſhould find neceſſary for their de-"fence. And this Proviſion being made by the King, they obliged them-ſelves to concur in making any preparations, and forming any Forces the Earl ſhould require. His Majeſty, as willingly, gratified them in both their deſires. The Earl of *Cumberland* was a Man of great Honour, and Integrity, who had all his Eſtate in that Country, and had lived moſt amongſt them, with very much acceptation, and affection from the Gentlemen, and the Common People: but he was not, in any degree, active, or of a Martial temper; and rather a Man more like not to have any Enemies, than to oblige any to be firmly, and reſolutely his Friends, or to purſue his Intereſts: The great Fortune of the Family was divided, and the greater part of it carried away by an Heir Female; and his Father had ſo waſted the remainder, that the Earl could not live with that luſtre, nor draw ſo great a dependance upon him, as his Anceſtors had done. In a word, he was a Man of Honour, and Popular enough in Peace, but not endued with thoſe parts, which were neceſſary for Such a ſeaſon. Sir *Thomas Glemham* was a Gentleman of a noble extraction, and a fair Fortune, tho' he had much impaired it; he had ſpent many years, in Armies, beyond the Seas; and he had been an Officer of very good eſteem in the King's Armies, and of Courage, and Integrity unqueſtionable; but he was not of ſo ſtirring and active a nature, as to be able to infuſe Fire enough into the Flegmatick conſtitutions of that People, who did rather wiſh to be Spectators of the War, than Parties in it; and believed, if they did not provoke the other Party, they might all live quietly together; until Sir *John Hotham*, by his excurſions, and depredations out of *Hull*, and their ſeditious Neighbours, by their Inſurrections, awaken'd them out of that Pleaſant Dream. And then the greateſt part of the Gentry of that Populous Country, and very many of the Common People, did behave themſelves with ſignal Fidelity, and Courage in the King's Service: Of all which Particulars, which deſerve well to be remember'd, and tranſmitted to Poſterity, there will be occaſion to make mention, in the following Diſcourſe.

Yet I cannot leave *York* without the mention of one Particular; which, in truth, is a lively Inſtance of the Spirit and Temper of that time, and was a ſad Preſage of all the misfortunes which follow'd. There were very few Gentlemen, or Men of any Quality, in that large County, who were actively or factiouſly diſaffected to his Majeſty; and of thoſe the Lord *Fairfax*, and his Son, Sir *Thomas Fairfax*, were the chief; who were govern'd by two or three, of inferiour Quality, more converſant with the People; who were as well known as They. All theſe were in the County, at their Houſes, within few miles of *York*; and the King reſolved, at his going away, to have taken them all Priſoners, and to have put them in ſafe Cuſtody; by which, it was very probable, thoſe miſchiefs, that ſhortly after broke out, might have been prevented. But the Gentlemen of the County, who were met together to conſult of their own ſecurity, hearing of this Deſign, beſought his Majeſty "Not to do it; alledging, "that he would, thereby, "leave them in a worſe condition, by an Act ſo ungracious, and unpopular; "and that the diſaffected would be ſo far from being weaken'd, that their "Party would be increaſed thereby; many really believing, that neither Father nor Son were tranſported with over-vehement inclinations to the Parliament; but would willingly ſit ſtill, without being Active on either ſide; which, no doubt, was a Policy, that many of thoſe, who wiſhed well, deſired and intended to be ſafe by. And ſo his Majeſty left *York*, taking with him only two or three of inferiour rank (whereof one *Stapleton* was one) who were known to have been very active in ſtirring the People to Sedition; and yet, upon ſome ſpecious pretences, ſome very good Men were perſwaded, within few days, to procure the Liberty and Inlargement even of thoſe from

his Majeſty. So tickliſh were thoſe times, and ſo wary were all Men to adviſe, the King ſhould do any thing, which, upon the ſtricteſt inquiſition, might ſeem to ſwerve from the ſtrict rule of the Law; believing, unreaſonably, that the ſofteſt and gentleſt Remedies might be moſt wholeſomely applied to thoſe rough, and violent Diſeaſes.

The King came to *Nottingham* two or three days before the day, he had appointed to ſet up the Standard; having taken *Lincoln* in his way, and drawn ſome Armes from the Train'd-bands of that Country with him to *Nottingham*; from whence, the next day, he went to take a view of his Horſe; whereof there were ſeveral Troops well arm'd, and under good Officers, to the number of ſeven or eight hunder'd Men; with which, being inform'd, "that "there were ſome Regiments of Foot marching towards *Coventry*, by the "Earl of *Eſſex* his Orders, he made haſt thither; making little doubt, but that he ſhould be able to get thither the day before they came; but found, not only the Gates ſhut againſt him, but ſome of his Servants ſhot, and wounded from the Walls: Nor could all his Meſſages, and Summons prevail with the Mayor and Magiſtrates, before there was any Garriſon there, to ſuffer the King to enter into the City. So great an Intereſt, and Reputation the Parliament had gotten over the Affections of that People, whoſe hearts were alienated from any reverence to the Government.

The King could not remedy the Affront, but went that night to *Stonely*, the Houſe then of Sir *Thomas Lee*; where he was well received; and, the next day, his Body of Horſe, having a clear view, upon an open Campania, for five or ſix miles together, of the Enemies ſmall Body of Foot, which conſiſted not of above twelve hunderd Men with one Troop of Horſe, which Marched with them over that plain, retired before them, without giving them one Charge; which was imputed to the ill conduct of *Wilmot*, who Commanded; and had a colder Courage, than many who were under him, and who were of Opinion, that they might have eaſily defeated that Body of Foot: Which would have been a very ſeaſonable Victory; would have put *Coventry* unqueſtionably into the King's hands, and ſent him with a good Omen to the ſetting up of his Standard. Whereas, that unhappy Retreat, which looked like a Defeat, and the Rebellious behaviour of *Coventry*, made his Majeſty's return to *Nottingham* very Melancholy; whither he return'd the very day the Standard was appointed to be ſet up.

The King's Standard ſet up at Nottingham, Au. 25. 1642

According to the Proclamation, upon the twenty fifth day of *Auguſt*, the Standard was erected, about ſix of the Clock in the evening of a very ſtormy, and tempeſtuous day. The King himſelf, with a ſmall train, rode to the top of the *Caſtle*-Hill, *Varney* the Knight Marſhal, who was Standard Bearer, carrying the Standard; which was then erected, in that place, with little other Ceremony than the ſound of Drums, and Trumpets: Melancholy Men obſerved many ill Preſages about that time. There was not one Regiment of Foot yet brought thither, ſo that the Train'd-bands, which the Sheriff had drawn together, were all the ſtrength the King had for his Perſon, and the Guard of the Standard. There appeared no Conflux of Men in obedience to the Proclamation; the Arms, and Ammunition were not yet come from *York*, and a General Sadneſs cover'd the whole Town. The Standard was blown down, the ſame night it had been ſet up, by a very ſtrong and unruly wind, and could not be fixed again in a day or two, till the tempeſt was allayed. This was the Melancholy State of the King's Affairs, when the Standard was ſet up.

The End of the fifth Book.

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